0STATE OF MONTANA
Department of Environmental Quality
Helena, Montana 59620

AIR QUALITY OPERATING PERMIT

Permit Number: **OP2650-00**

Issued to: **Yellowstone Energy Limited Partnership**
2215 N. Frontage Road
Billings, MT 59101-7303

Final Date: **November 28, 2001**
Expiration Date: **November 28, 2006**

Effective Date: **November 28, 2001**
Date of Decision: **October 29, 2001**
End of EPA 45-day Review: **October 21, 2001**
Proposed Issue Date: **September 4, 2001**
Draft Issue Date: **February 16, 2000**

Application Deemed Technically Complete: **January 29, 1997**
Application Deemed Administratively Complete: **June 12, 1996**
Operating Permit Application Received: **June 12, 1996**
AFS Number: **030-111-0023A**

Permit Issuance and Appeal Processes: In accordance with Sections 75-2-217 and 218, MCA, and Administrative Rules of Montana (ARM), ARM Title 17, Chapter 8, Subchapter 12, Operating Permit Program, this operating permit is hereby issued by the Department as effective and final on November 28, 2001. This cover sheet must be attached to the enclosed Date of Decision issued on October 29, 2001, and the permit must be kept on-site at the above named facility.

Issued by the Department of Environmental Quality

_____ __/__/__
Signature Date

Terms not otherwise defined in this permit or in the Definitions and Abbreviations Appendix of this permit have the meaning assigned to them in the referenced regulations.

SECTION I. GENERAL INFORMATION

The following general information is provided pursuant to ARM 17.8.1210(1).

Company Name: **Yellowstone Energy Limited Partnership**

Mailing Address: **1087 West River Street**

City: **Boise** State: **Idaho** Zip: **83702**

Plant Location: **2215 N. Frontage Road, Billings, Montana 59101-7303**

Responsible Official: **Owen Orndorff** Phone**: (208) 344-3570**

Facility Contact Person: **Bob Young** Phone: **(406) 256-5296**

Primary SIC Code: **4911**

Nature of Business: **External Combustion Boilers – Electric Generation**

Description of Process:

The primary operation of the YELP complex is the production of energy in the form of steam. The plant, a 65-Megawatt electric generating facility uses both petroleum coke and coker gas as the primary fuels to fire two circulating fluidized bed combustion (CFBC) boilers. These boilers in turn produce steam of which a portion is provided to the Exxon Refinery and the remainder is used to generate electricity through a steam turbine.

SECTION II. SUMMARY OF EMISSION UNITS

The emission units regulated by this permit are the following [ARM 17.8.1211]:

Emissions Unit ID	Description	Pollution Control Device/Practice
EU01	Circulating Fluidized Bed Combustion (CFBC) Boilers (2)	Particulate emissions are controlled by baghouse; sulfur is controlled by injection of lime into the boiler, NO_2, VOC and CO emissions are controlled by lower operating temperature and a recirculation of fuel and ash particles through the combustion boiler.
EU02	Limestone Unloading, Handling, and Crushing	The unloading of limestone to the hopper takes place in an enclosed area and the limestone is transferred via an enclosed conveyor, controlling fugitive emission. The crushing activity is enclosed and the air is exhausted through a baghouse.
EU03	Limestone Storage	Particulate emission from the filling of the limestone storage silo are controlled by a baghouse.
EU04	Coke Storage and Handling at EXXON	Particulate emission from the use of the coke storage silo at Exxon are controlled by a baghouse.
EU05	Coke Loading to Stockpile	None
EU06	Loading Coke from Stockpile to Hopper	None
EU07	Coke Storage and Handling	From the hopper, the coke is pneumatically fed to a surge bin, which is also fed from the fluid coker process at Exxon. The surge bin contains a bag filter for exhausted displacement air.
EU08	Coke Unloading/Crushing/Processing Facility	This building houses a crusher system, which includes a scalper (screen), a crusher, and a belt delivery system to existing coke silos. The particulate emissions are controlled by a baghouse.
EU09	Coke Barn	This building stores coke.
EU10	Ash Handling and Storage	Ash generated by the boilers is removed from the boiler as bottom ash and from the baghouse as fly ash by a pneumatic system and conveyed to a temporary storage silo. A bag filter on the silo controls particulate emissions.
EU11	Ash Unload to Trucks	None
EU12	Fugitive Emissions: Paved Roads	None
EU13	Cat Slurry Oil Tank	Tank equipped with an internal floating roof.

SECTION III. PERMIT CONDITIONS

The following requirements and conditions are applicable to the facility or to specific emission units located at the facility [ARM 17.8.1211,1212, and 1213].

A. Facility-Wide

Facility-Wide				
Conditions	**Rule Citation**	**Rule Description**	**Pollutant/Parameter**	**Limit**
A.1	ARM 17.8.304(2)	Visible Air Contaminants	Opacity	20%
A.2	ARM 17.8.308(1)	Particulate Matter, Airborne	Fugitive Opacity	20%
A.3	ARM 17.8.308(2)	Particulate Matter, Airborne	Reasonable Precautions	-------
A.4	ARM 17.8.308	Particulate Matter, Airborne	Reasonable Precaution, Construction	20%
A.5	ARM 17.8.309	Particulate Matter, Fuel Burning Equipment	Particulate Matter	$E = 0.882 * H^{-0.1664}$ or $E = 1.026 * H^{-0.233}$
A.6	ARM 17.8.310	Particulate Matter, Industrial Processes	Particulate Matter	$E = 4.10 * P^{0.67}$ or $E = 55 * P^{0.11} - 40$
A.7	ARM 17.8.322(4)	Sulfur Oxide Emissions, Sulfur in Fuel	Sulfur in Fuel (liquid or solid fuels)	1 lb/MMBtu fired
A.8	ARM 17.8.322(5)	Sulfur Oxide Emissions, Sulfur in Fuel	Sulfur in Fuel (gaseous)	50 gr/100 CF
A.9	ARM 17.8.324(3)	Hydrocarbon Emissions, Petroleum Products	Gasoline Storage Tanks	-------
A.10	40 CFR 51	State Implementation Plan (SIP)	Sulfur Bearing Gases	-------
A.11	40 CFR 51	State Implementation Plan (SIP)	SO_2	-------
A.12	40 CFR 51	State Implementation Plan (SIP)	State Only Requirements	-------
A.13	ARM 17.8.204 & ARM 17.8.822	Ambient Air Monitoring Plan	SO_2	-------
A.14	ARM 17.8.340	New Source Performance Standards	All Applicable Provisions of Subparts Da, Kb, and OOO	-------
A.15	ARM 17.8.710	Reporting Requirements	Preconstruction Permit	--------
A.16	ARM 17.8.1212	Reporting Requirements	Compliance Monitoring	-------
A.17	ARM 17.8.1207	Reporting Requirements	Annual Certification	-------

Conditions

A.1. Pursuant to ARM 17.8.304(2), YELP shall not cause or authorize emissions to be discharged into the outdoor atmosphere from any source installed after November 23,1968, that exhibit an opacity of 20% or greater averaged over 6 consecutive minutes, unless otherwise specified by rule or in this permit.

A.2. Pursuant to ARM 17.8.308(1), YELP shall not cause or authorize the production, handling, transportation, or storage of any material unless reasonable precautions to control emissions of particulate matter are taken. Such emissions of airborne particulate matter from any stationary source shall not exhibit an opacity of 20% or greater averaged over 6 consecutive minutes, unless otherwise specified by rule or in this permit.

A.3. Pursuant to ARM 17.8.308(2), YELP shall not cause or authorize the use of any street, road or parking lot without taking reasonable precautions to control emissions of airborne particulate matter, unless otherwise specified by rule or in this permit.

A.4. Pursuant to ARM 17.8.308, YELP shall not operate a construction site or demolition project unless reasonable precautions are taken to control emissions of airborne particulate

matter. Such emissions of airborne particulate matter from any stationary source shall not exhibit an opacity of 20% or greater averaged over 6 consecutive minutes, unless otherwise specified by rule or in this permit.

A.5. Pursuant to ARM 17.8.309, unless otherwise specified by rule or in this permit, YELP shall not cause or authorize particulate matter caused by the combustion of fuel to be discharged from any stack or chimney into the outdoor atmosphere in excess of the maximum allowable emission of particulate matter for existing fuel-burning equipment and new fuel-burning equipment calculated using the following equations:

For existing fuel burning equipment (installed before November 23, 1968):
$E = 0.882 * H^{-0.1664}$

For new fuel burning equipment (installed on or after November 23, 1968):
$E = 1.026 * H^{-0.233}$

Where H is the heat input capacity in million BTU (MMBtu) per hour and E is the maximum allowable particulate emission rate in pounds per MMBtu.

A.6. Pursuant to ARM 17.8.310, unless otherwise specified by rule or in this permit, YELP shall not cause or authorize particulate matter to be discharged from any operation, process, or activity into the outdoor atmosphere in excess of the maximum hourly allowable emission of particulate matter calculated using the following equations:

For process weight rates up to 30 tons per hour: $E = 4.10 * P^{0.67}$
For process weight rates in excess of 30 tons per hour: $E = 55.0 * P^{0.11} - 40$

Where E is the rate of emission in pounds per hour and P is the process weight rate in tons per hour.

A.7. Pursuant to ARM 17.8.322(4), YELP shall not burn liquid or solid fuels containing sulfur in excess of 1 pound per million BTU fired, unless otherwise specified by rule or in this permit. This rule shall be interpreted to allow for a daily deviation of 0.1 pound of sulfur per million BTU fired. The rule shall be interpreted to allow the blending of all fuels burned in a plant during a given time period in determining the aggregate sulfur content for purposes of the rule, and it shall not be construed to require blending or physical mixing of fuels at any given furnace or heater within the plant complex [April 1978 Billings/Laurel Plan that included the Board of Health and Environmental Sciences Order and the Board of Environmental Review (Board) Order signed on June 12, 1998].

A.8. Pursuant to ARM 17.8.322(5), YELP shall not burn any gaseous fuel containing sulfur compounds in excess of 50 grains per 100 cubic feet of gaseous fuel, calculated as hydrogen sulfide at standard conditions, unless otherwise specified by rule or in this permit. This rule shall be interpreted to allow for a daily deviation of 0.1 pound of sulfur per million BTU fired. The rule shall be interpreted to allow the blending of all fuels burned in a plant during a given time period in determining the aggregate sulfur content for purposes of the rule, and it shall not be construed to require blending or physical mixing of fuels at any given furnace or heater within the plant complex [April, 1978 Billings/Laurel Plan, which included the Board of Health and Environmental Sciences Order and the Board Order signed on June 12, 1998].

A.9. Pursuant to ARM 17.8.324(3), YELP shall not load or permit the loading of gasoline into any stationary tank with a capacity of 250 gallons or more from any tank truck or trailer, except through a permanent submerged fill pipe, unless such tank is equipped with a vapor loss control device or is a pressure tank as described in ARM 17.8.324(1), unless otherwise specified by rule or in this permit.

A.10. YELP shall utilize appropriate maintenance, repair, and operating practices to control emission of sulfur bearing gases from minor sources such as ducts, stacks, valves, vents, vessels, and flanges that are not otherwise subject to June 12, 1998, Order from the Board adopting a sulfur dioxide control plan [Board Order signed on June 12, 1998, this requirement is "State Only" until approval of the SIP by EPA.].

A.11. Pursuant to the June 12, 1998, Board Order adopting a sulfur dioxide control plan, YELP shall comply with all requirements of Exhibit A and Attachment 1 of the plan, in addition, YELP shall comply with all terms as set forth by this permit [Board Order signed on June 12, 1998, and March 17, 2000, this requirement is "State Only" until approval of the SIP by EPA.].

A.12. Pursuant to the June 12, 1998, Board Order adopting a sulfur dioxide control plan, YELP shall comply with all requirements of Exhibit A-1 and corresponding attachments [Board Order signed on June 12, 1998, and March 17, 2000, this requirement is "State Only".].

A.13. YELP shall conduct ambient air monitoring as described in Appendix G [ARM 17.8.204 and ARM 17.8.822].

A.14. YELP shall be subject to, at a minimum, all applicable Standards of Performance for New Stationery Sources (NSPS) provisions, as appropriate, of:

a. 40 CFR 60, Subpart Da 60.40a through 60.49a (Standards of Performance for Electric Utility Steam Generating Units for Which Construction is Commenced After September 18, 1978) (Appendix I of this permit);

b. 40 CFR 60, Subpart OOO, Standards of Performance for Nonmetallic Mineral Processing Plants (Appendix K of this permit); and

c. 40 CFR 60, Subpart Kb 60.110b through 60.117b (Standards of Performance for Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for Which Construction, Reconstruction, or Modification Commenced After July 23,1984 (Appendix K of this permit).

A.15. YELP shall keep the Department apprised of the status of construction, dates of performance tests, and continuous compliance status for each emission point and pollutant. In addition to applicable requirements of 40 CFR 60.7, the following reports and recordkeeping shall be required:

a. Notification of date of cessation of construction, restarts of construction, startups, and monitor certification tests [ARM 17.8.340].

b. Commencement of construction of the spray nozzles, pneumatic line, and tank associated with the ability to combust cat slurry oil within 15 days of commencement of construction [ARM 17.8.710].

c. Anticipated start-up date of the spray nozzles, pneumatic line, and tank associated with the ability to combust cat slurry oil between 30 and 60 days prior to anticipated start-up date [ARM 17.8.710].

d. Actual start-up date of the spray nozzles, pneumatic line, and tank associated with the ability to combust cat slurry oil within 15 days of actual start-up date [ARM 17.8.710].

e. Final design drawings for the spray nozzles within 15 days of completion of construction [ARM 17.8.710].

f. Commencement of construction of the pneumatic lines for unloading coke from trucks within 15 days of commencement of construction [ARM 17.8.710].

g. Anticipated start-up date of the pneumatic lines for unloading coke from trucks between 30 and 60 days prior to anticipated start-up date [ARM 17.8.710].

h. Actual start-up date of the pneumatic lines for unloading coke from trucks within 15 days of actual start-up date [ARM 17.8.710].

i. Commencement of construction of the coke unloading/crushing/processing plant and the coke barn storage and handling facility within 15 days of commencement of construction [ARM 17.8.710].

j. Anticipated start-up date of the coke unloading/crushing/processing plant and use of the coke barn storage and handling facility between 30 and 60 days prior to anticipated start-up date [ARM 17.8.710].

k. Actual start-up date of the coke unloading/crushing/processing plant and use of the coke barn storage and handling facility within 15 days of actual start-up date [ARM 17.8.710].

l. Copies of emission reports, excess emissions and all other such items mentioned in Section III of this permit shall be submitted to both the Billings Regional Office and the Helena office of the Department [ARM 17.8.710].

A.16. On or before January 31 and July 31 of each year, YELP shall submit to the Department the compliance monitoring reports required by Section V.D. These reports must contain all information required by Section V.D, as well as the information required by each individual emissions unit. For the reports due by January 31 of each year, YELP may submit a single report, if it contains all the information required by Section V.B & V.D.

A.17. By January 31 of each year, YELP shall submit to the Department the compliance certification report required by Section V.B. The annual certification report required by Section V.B must include a statement of compliance based on the information available that identifies any observed, documented or otherwise known instance of noncompliance for each applicable requirement.

B. Main Stack Emissions

EU01 – Circulating Fluidized Bed Combustion (CFBC) Boilers (2)

Main Stack Emissions					
Condition(s)	**Pollutant/ Parameter**	**Permit Limit**	**Compliance Demonstration Method**	**Frequency**	**Reporting Requirements**
B.1, B.17, B.19, B.20, B.21, B.22, B.26, B.28 B.29, B.30, B.32	Opacity	20%	CEMS and Method 9	Ongoing and As required	Quarterly and Semiannually
B.2, B.3, B.22 B.26, B.28, B.29, B31, B.32	Particulate Matter	18.26 lb/hr 438.4 lb/day 80.0 ton/yr	Method 5	Annually	Semiannually
			Excess Emissions Reports	As Necessary	Quarterly
		0.03 lb/MMBtu heat input; 99% reduction for solid fuel; and 70% reduction for liquid	Method 19 and Method 5 as specified in 40 CFR 60, Subpart Da	Annually	Semiannually
B.4, B.23, B.17, B.20, B.21, B.22, B.26, B.29, B.32	SO_2 Offsets	0.96 lb/MMBtu 238 ton/yr 720 bbl/day	CEMS and Record-keeping	Ongoing and As Necessary	Quarterly
B.5, B.6, B.17, B.20, B.21, B.22, B.26, B.28, B.29, B.32	SO_2	620.0 lb/hr – avg 680.0 lb/hr – max 8.160 ton/day 2476.0 ton/yr	CEMS and Method 6/6c	Ongoing and Annually	Quarterly and Semiannually
B.5, B.7, B.9, B.17, B.20, B.21, B.22, B.26, B.28, B.29, B.31, B.32	SO_2 (YELP is not receiving Exxon Coker flue gas)	2040.0 lb/3-hr 114.2 lb/3-hr 10,543.0 lb/day 3,848,049.0 lb/day			
B.5, B.8, B.9, B.17, B.20, B.21, B.22, B.26, B.28, B.29, B.31, B.32	SO_2 (YELP is receiving Exxon Coker flue gas)	2040.0 lb/3-hr 16,320.0 lb/day 5,956,800.0 lb/yr			
B.5, B.10, B.17, B.20, B.21.B.22, B.28, B.29, B.32	SO_2	92% reduction			
B.5, B.11, B.17, B.20, B.21, B.22, B.26, B.28, B.29, B.30, B.32	SO_2	1.20 lb/MMBtu heat input and 90% reduction or 70% reduction with <0.60 lb/MMBtu	CEMS and Method 6/6C	Ongoing and As required	Quarterly and Semiannually

Main Stack Emissions					
Condition(s)	**Pollutant/ Parameter**	**Permit Limit**	**Compliance Demonstration Method**	**Frequency**	**Reporting Requirements**
B.5, B.6, B.11, B.12, B.29, B.30, B.32	SO_2 / Sulfur in fuel	0.777 lb/MMBtu heat input 1.20 lb/MMBtu heat input and 90% reduction or 70% reduction with <0.60 lb/MMBtu; 92% reduction	Analyze weight percent Sulfur and heating value (Btu/lb) of petroleum Coke; analyze coker gas stream when boilers are operating	Monthly	Semiannually
B.13, B.17, B.20, B.21, B.22, B.28, B.29, B.31, B.32	CO	120.6 lb/hr 2898.6 lb/day 529.0 ton/yr	CEMS and Method 3/3B	Ongoing and Annually	Quarterly and Semiannually
B.14, B.17, B.20, B.21, B.22, B.28, B.29, B.32	NO_x	319.0 lb/hr –avg 1,396.0 ton/yr 0.400 lb/MMBtu	CEMS and Method 7/7E	Ongoing and Annually	Quarterly and Semiannually
B.15, B.17, B.20, B.21, B.22, B.28, B.29, B.30, B.31, B.32	NO_x	0.20 lb/MMBtu heat input for gaseous fuels and 75% reduction; 0.30 lb/MMBtu heat input for liquid fuels and 70% percent reduction	CEMS and Method 7/7E	Ongoing and Annually	Quarterly and Semiannually
B.16, B.23, B.24, B.29, B.32	Emission Control Requirement	Petroleum coke fuel, cat slurry oil, and all of the Exxon process gas to be combusted in the YELP boilers	Reporting	As required	As necessary but at least Quarterly
B.17, B.25, B.29, B.32	Emission Control Requirement	Install, operate, and maintain a Fuel Oil Flowmeter as required	Calculate fuel oil density and mass flow	As required	Quarterly
B.18, B.27, B.32	Cat Slurry Oil	Not to be fired at >1400F	Record-keeping	As required	Semiannually

Conditions

B.1. YELP shall not cause to be discharged into the atmosphere from any affected facility any gases that exhibit greater than 20% opacity (6 minute average) except for one 6-minute period per hour of not more than 27% opacity [ARM 17.8.340 and 40 CFR 60.42a(b)].

B.2. Particulate Matter emission from the Main Stack shall not exceed the following [ARM 17.8.715]:

a. 18.26 lb/hr (0.023 lb/MMBtu);

b. 438.4 lb/day; and

c. 80.0 ton/yr.

B.3. Per 40 CFR 60.42a, YELP shall not cause to be discharged into the atmosphere from any affected facility any gases, that contain particulate matter in excess of:

a. 0.03 lb/MMBtu heat input derived from the combustion of solid, liquid, or gaseous fuel [40 CFR 60.42a (a)(1)];

b. 1% of the potential combustion concentration (99% reduction) when combusting solid fuel [40 CFR 60.42a(a)(2)]; and

c. 30% of the potential combustion concentration (70% reduction) when combusting liquid fuel [40 CFR 60.42a (a)(3)].

B.4. The construction and operation of the YELP facility required external offsets from the adjacent Exxon refinery. The sulfur dioxide emission reduction from the Exxon coker process gas shall be at least 238 tons per calendar year. The offsets are provided by the combustion and treatment of the Exxon coker process gas stream, by both an hourly limit on sulfur-in-fuel burned at the refinery on a refinery-wide basis of 0.96 pounds of sulfur-in-fuel per million BTUs fired and a daily limit on the number of barrels of fuel oil that may be burned at the refinery by all combustion units of 720 barrels per calendar day. The short term hourly offset shall be guaranteed for the YELP facility according to the following operating conditions:

a. At any time that YELP is notified by Exxon that Exxon has exceeded either the hourly sulfur-in-fuel limitation or the daily limit on the number of barrels of fuel oil fired, YELP shall operate its facility in such manner as to ensure that the ratio of SO_2 in the Exxon coker process gas stream to the SO_2 emitted from the YELP main stack shall be equal to or greater than 1:1. During times that the SO_2 CEM, that measures the inlet coker process gas from Exxon, is not operating, the minimum operating value recorded during the past 12-months shall be used. During the times that YELP's main stack SO_2 CEM is not operating, the maximum operating value recorded during the past 12-months shall be used.

b. If the initial notification from Exxon indicates that Exxon has exceeded the hourly sulfur-in-fuel limit, then YELP shall continue to comply with the ratio requirement described above in Section III.B.4.a until such time as YELP is notified by Exxon that the Exxon refinery has met the hourly sulfur-in-fuel limitation for 3 consecutive hourly periods.

c. If the initial notification from Exxon indicates that Exxon has exceeded the daily limit on the number of barrels of fuel oil fired, then YELP shall continue to comply with the ratio requirement described above in Section III.B.4.a until such time as YELP is notified by Exxon that the Exxon refinery is in compliance with the daily limit on fuel oil firing.

YELP shall report to the Department each time that it receives initial notification by Exxon as referenced above in Section III.B.4 (a). Such report shall be submitted with the emission report to the Department required in Section III, B.29 of this permit, and shall include both the date and time YELP received initial notification by Exxon as referenced above in Section III.B.4 (a), and the date and time YELP received subsequent notification by Exxon as referenced above in either Section III.B.4.b or .4.c, as appropriate. The report shall also describe in detail the operating measures were taken by YELP to meet the requirements in Section III.B.4 (a) through B.4 (c) [ARM17.8.710].

B.5. YELP shall conform to the most stringent SO_2 emission limits (hourly, daily, and annual) as listed in this operating permit [Board Order signed on June 12, 1998, and March 17, 2000, this requirement is "State Only" until approval of the SIP by EPA.].

B.6. SO_2 emission from the Main Stack shall not exceed the following [ARM 17.8.715]:

a. 620.0 lb/hr computed on a rolling 30-day average (0.777 lb/MMBtu)

b. 680.0 maximum lb/hr;

c. 8.160 ton/day; and

d. 2476.0 ton/yr computed as a 12 month total at the end of each calendar month.

B.7. YELP Boiler stack SO_2 emission shall be limited as follows during periods when the Exxon Coker Unit is operating and YELP is not receiving Exxon Coker flue gas [Board Order signed on March 17, 2000, this requirement is "State Only" until approval of the SIP by EPA.].

a. Three Hour Emissions of SO_2 from the YELP boiler stack shall not exceed:

i. 2,040 pounds per 3-hour period during that portion of each calendar-day beginning at 6:00 a.m. and ending at 9:00 p.m.; and
ii. 114.2 pounds per 3-hour period during that portion of each calendar-day beginning at 9:00 p.m. and ending at 6:00 a.m.

b. Daily Emissions of SO_2 from the YELP boiler stack shall not exceed 10,543.0 pounds per calendar day; and

c. Annual Emissions of SO_2 from the YELP boiler stack shall not exceed 3,848,049.0 pounds per calendar year.

B.8. YELP Boiler stack SO_2 emissions shall be limited as follows during periods when either the Exxon Coker Unit is not operating or the Exxon Coker Unit is operating and YELP is receiving the Exxon Coker flue gas [Board Order signed on March 17, 2000, this requirement is "State Only" until approval of the SIP by EPA.]:

a. Three-Hour Emissions of SO_2 from the YELP boiler stack shall not exceed 2040.0 pounds per 3-hour period;

b. Daily Emissions of SO_2 from the YELP boiler stack shall not exceed 16,320.0 pounds per calendar day; and

c. Annual Emissions of SO_2 from the YELP boiler stack shall not exceed 5,956,800.0 pounds per calendar year.

B.9. If, for any 3-hour period during the course of a calendar day, the conditions for Section III.B.7 and Section III.B.8 both apply, then the resulting 3-hour emission limitation for the YELP Boiler stack shall be determined by prorating, on an hourly basis, the emission limits contained in Section III.B.7 and 8. The prorated 3-hour emission limitation shall

be calculated as the sum of the 1-hour values determined in accordance with the requirements below [Board Order signed on March 17, 2000, this requirement is "State Only" until approval of the SIP by EPA.]:

a. Each Clock Hour during any part of that the conditions for Section III.B.7 apply shall be assigned a 1-hour value equal to the emission limitation contained in Section III.B.7 (a)(ii) divided by 3; and

b. All other Clock Hours in the subject 3-hour period shall be assigned a 1-hour value equal to the 3-hour emission limitation contained in Section III.B.8 (a) divided by 3.

B.10. YELP shall achieve a minimum of 92% SO_2 control for all boilers operating hours[1]. Percent control of SO_2 shall be determined according to the provision in 40 CFR 60, Subpart Da, Section 60.48a, except that the percent control is required for all boiler operating hours instead of the boiler operating days as identified in the 40 CFR 60 [ARM 17.8.715].

B.11. Per 40 CFR 60.43a, YELP shall not cause to be discharged into the atmosphere from any affected facility any gases that contain SO_2 in excess of:

a. 1.2 lb/MMBtu heat input and 10% of the potential combustion concentration (90 percent reduction) when combusting solid fuel or solid-derived fuel per 40 CFR 60.43a (a)(1);

b. 30% of the potential combustion concentration (70% reduction) when emissions are less than 0.60 lb/MMBtu heat input from the combustion of solid fuel or solid-derived fuel per 40 CFR 60.43a(a)(2);

c. 0.80 lb/MMBtu heat input and 10% of the potential combustion concentration (90 percent reduction) from the combustion of liquid or gaseous per 40 CFR 60.43a(b)(1); and

d. 100% of the potential combustion concentration (zero percent reduction) when emissions are less than 0.20 lb/MMBtu of heat input when combusting liquid or gaseous fuels per 40 CFR 60.43a(b)(2).

B.12. YELP shall analyze the weight percent sulfur and heating value (BTU/lb) of the petroleum coke fuel on a monthly basis when the boilers are operating. Twice per month YELP shall analyze the coker gas stream to facilitate F-Factor determination when the boilers are operating. Analysis procedures and methods shall follow 40 CFR 60.48a, including Reference Method 19 [ARM 17.8.710; 40 CFR 60, Subpart Da; 40 CFR 60, Appendix A].

B.13. CO emissions from the Main Stack shall not exceed the following [ARM 17.8.715]:

a. 529.0 ton/yr;

b. 2898.6 lb/day; and

[1] "Boiler operating hour" means any time during a 60-minute clock hour in which a boiler operates.

c. 120.6 lb/hr.

B.14. NO_x emissions from the Main Stack shall not exceed the following [ARM 17.8.715]:

a. 1,396.0 ton/yr; and

b. 319.0 lb/hr computed on a rolling 30-day average (0.400 lb/MMBtu).

B.15. Per 40 CFR 60.44a YELP shall not cause to be discharged into the atmosphere from any affected facility any gases, based on a 30-day rolling average, that contain NO_x emissions in excess of:

a. 0.20 lb/MMBtu heat input derived from the combustion of gaseous fuels per 40 CFR 60.44a (a)(1);

b. 25% of the potential combustion concentration (75% reduction) when combusting gaseous fuels per 40 CFR 60.44a (a)(1);

c. 0.30 lb/MMBtu heat input derived from the combustion of liquid fuels per 40 CFR 60.44a (a)(1); and

d. 30% of the potential combustion concentration (70% reduction) when combusting liquid fuels per 40 CFR 60.44a (a)(2);

B.16. The facility shall burn, in conjunction with petroleum coke fuel and cat slurry oil, all of the Exxon process gas in the YELP boilers. For purposes of ARM 17.8.340, 40 CFR 60.40a, and this permit, the cat slurry oil shall be considered a liquid fuel. YELP is authorized to burn petroleum coke (solid fuel), coker gas (gas fuel), and cat slurry oil (liquid fuel) [ARM 17.8.710].

B.17. YELP shall install, operate, and maintain the following Continuous Emission Monitors/ Continuous Emission Rate Monitors (CEMs/CERMs) [ARM 17.8.340 and ARM 17.8.710]:

a. <u>Main Stack</u>

i. Opacity
ii. Sulfur Dioxide
iii. Nitrogen Oxides
iv. Oxygen
v. Carbon Monoxide
vi. Volumetric Flow Rate

b. <u>Coker Process Gas Flue</u>

i. Sulfur Dioxide
ii. Volumetric Flow Rate

c. The monitors shall comply with all applicable provisions of 40 CFR, Parts 60.5 through 60.13, Subparts Da 60.46a through 60.49a and Appendix B, (Performance Specifications 1, 2, 3, and 4) and Appendix F (Quality Assurance/Quality Control) provisions. Volumetric flow rate monitors shall comply with the requirements of Attachment 1 of the Stipulation (Appendix F of this permit), including Methods A-1 and B-1. Fuel oil flowmeters and fuel oil sulfur analysis shall comply with the requirements of Methods C-1 (Appendix H of this permit) [ARM 17.8.710].

B.18. Cat Slurry Oil shall not be fired in the boilers until the average combustor temperature reaches 1400 ºF [ARM17.8.710].

Compliance Demonstration

B.19. A Method 9 test shall be performed, as required by, the Department to demonstrate compliance with the opacity limit in Section III.B.1. The test methods and procedures shall be conducted in accordance with the Montana Source Test Protocol and Procedures Manual [ARM 17.8.106].

B.20. Compliance with emission limits in Section III.B. shall be determined by utilizing data taken from the continuous emission monitors (CEMs) listed in Section III.B.17 above, as required by, 40 CFR 60, Subpart Da, and in accordance with the Stipulation (Appendix F). Although the CEMS data is the method of demonstrating compliance on a continuous basis, the data from annual reference method tests shall also be used to demonstrate compliance. All CEMS shall be operated pursuant to any and all requirements of Attachment 1 of Exhibit A of the Stipulation. The above does not relieve YELP from meeting any applicable requirements of 40 CFR 60, Appendices A and B, any requirement identified in the June 12, 1998, Stipulation, or other stack testing that will be required by the Department.

B.21. All gaseous continuous emission monitors shall be required to comply with quality assurance/quality control procedures in 40 CFR Part 60, Appendix F and the CEM availability requirements in 40 CFR 60.47a. CEM systems are to be in operation at all times when the emission units are operating except for quality assurance and control checks, breakdowns and repairs. In the event the primary CEM system is unable to meet minimum availability requirements, YELP shall provide a back-up or alternative monitoring system and plan such that continuous compliance can be demonstrated. YELP shall submit the alternative monitoring plan for Department approval within 60 days after achieving the maximum production rate for the facility and not later than 180 days after initial startup [ARM 17.8.105, and ARM 17.8.106, ARM 17.8.710, and ARM 17.8.340].

B.22. Compliance testing and continuous monitor certification shall be as specified in 40 CFR Part 60, Appendices A and B. The Department shall require annual compliance stack testing at the YELP main stack. Testing shall include: Methods 1-4 and 6/6C for sulfur dioxide (SO_2), Method 7/7E for nitrogen oxides (NO_x), Method 3/3B for carbon monoxide (CO), and Method 5 for particulate matter (PM, PM-10) or equivalent methods as approved by the Department and EPA, and in accordance with the Montana Source Test Protocol and Procedures Manual. Upon request, the Department may require stack testing for other pollutants. Test methods and procedures, where there is more than one option for any given pollutant, shall be approved by the Department prior to

commencement of testing. Certification of all CEMS/CERMS shall be conducted annually. The annual monitor certification can coincide with the required compliance stack testing [ARM 17.8.106 and ARM 17.8.710]. The annual Relative Accuracy Test Audits (RATAs) required by Sections 6(C) and (D) of the Stipulation (Appendix F) may substitute for the annual source test provided that the flow rate RATA and the concentration RATA are performed simultaneously and additional calculations are made to determine and report the data in pounds per hour sulfur dioxide [Board Order signed on June 12, 1998. This requirement is "State Only" until approval of the SIP by EPA.].

B.23. YELP shall verify the sulfur dioxide emission rate, utilizing continuous emission monitors, on an hourly basis on both the YELP stack and from the Exxon coker process gas received by the YELP facility. The results shall be reported to the Department along with other emissions data within 30 days of the end of each reporting period. The report shall contain all necessary data from the coker process gas stream, fuel petroleum coke sulfur content, cat slurry oil sulfur content, and the YELP main stack continuous emission monitoring system such that the sulfur dioxide emission reduction is quantifiable on an hourly basis [ARM 17.8.710].

B.24. YELP shall report to the Department, within 24-hours, any time in which the Exxon coker process gas is diverted away from the fluidized bed boiler facility (YELP). Said report shall include the period of diversion, estimate of process gas diverted, and circumstances explaining the diversion of this stream. Said report shall discuss what corrective actions will be taken to prevent recurrences of the situation and what caused the diversion [ARM 17.8.710].

B.25. YELP shall install, operate, and maintain a continuous fuel oil flowmeter. YELP shall comply with the following fuel oil[2] flowmetering and analysis specifications:

a. Conduct daily fuel oil sampling in accordance with Method C-1 of Appendix H.

b. Analyze all fuel oil samples collected, for sulfur content in accordance with Method C-1 of Appendix H.

c. Each fuel oil flowmeter shall demonstrate a flowmeter accuracy of 2.0 percent of the upper range value (i.e., maximum calibrated oil flow rate) as measured under laboratory conditions by the manufacturer or by the owner or operator, and pursuant to the calibration procedures as specified by Method C-1 of Appendix H.

Recordkeeping

B.26. YELP shall maintain all records necessary to verify compliance with the required SO_2 offsets, all requirements identified in 40 CFR 60, Subpart Da, and all requirements identified in the June 12, 1998, and March 17, 2000, stipulation. The records shall be made available to the Department upon request.

[2] "Fuel Oil" means cat slurry oil from the Exxon fluid catalytic cracking (FCC) unit.

B.27. YELP shall maintain a log to record the combustor temperature before firing any Cat Slurry oil in the boilers. The log shall record the date, time, temperature of the combustor, and include the operators' initials. The log shall be made available to the Department upon request

Reporting

B.28. Any required source test report(s) shall be submitted in accordance with the Montana Source Test Protocol and Procedures Manual [ARM 17.8.106].

B.29. YELP shall submit quarterly emission reports. Emission reporting for sulfur dioxide from the main stack and Exxon coker process gas shall consist of hourly and 24-hour calendar-day totals for each calendar month. The reports that are due 30 days after the end of each period shall also include the following [ARM 17.8.710]:

a. Source or unit operating time during the reporting period and daily petroleum coke fuel, daily cat slurry oil, and limestone consumption.

b. Monitoring down time that occurred during the reporting period.

c. A summary of excess emissions for each pollutant and averaging period identified in Section III.B for PM, SO_2, CO, and NO_x.

d. Emission estimates for sulfur oxides and reduced sulfides from material balance, engineering calculation data, and any emission testing. Report of sulfur and BTU content from petroleum coke fuel analysis on a daily basis. Report of sulfur and BTU content from the cat slurry oil analysis on a daily basis.

e. Reasons for any excess emissions specifically allowed in Section III.B with mitigative measures utilized and corrective actions taken to prevent a recurrence of the upset situation.

B.30. YELP shall submit quarterly emission reports that meet all of the requirements of 40 CFR Part 60, Subpart Da 60.49a (Appendix I).

B.31. In accordance with Section 7 of the Stipulation (Appendix F), YELP shall submit quarterly reports on a calendar-year basis. The quarterly reports shall be submitted within 30 days of the end of each calendar quarter. The quarterly reports shall be submitted to the Department's Permitting and Compliance Division office in Helena and the Billings Regional Office. The quarterly report format shall consist of both a comprehensive electronic-magnetic report and a written or hard copy data summary report.

B.32. The annual compliance report required by Section V.B must contain a certification statement for the above applicable requirements. The semiannual compliance monitoring report shall include the following:

a. Provide a summary of the results of any required reference method tests performed during the reporting period. The actual test report should be submitted as specified by the Montana Source Test Protocol and Procedures Manual.

b. Verify that all CEMS were operated and maintained in accordance with Section III. B.17.c and the June 12, 1998, stipulation (Appendix F).

c. Verify that quarterly reports were submitted as specified by Section III.B.29- 31.

d. Verify that the log to record the combustor temperature was as specified by Section III.B.27.

C. Limestone Unloading, Handling, Crushing, and Storage

EU02 – Limestone Unloading, Handling, and Crushing and EU03 Limestone Storage

Limestone Unloading, Handling, Crushing, and Storage					
Condition(s)	**Pollutant/Parameter**	**Permit Limit**	**Compliance Demonstration Method**	**Compliance Demonstration Frequency**	**Reporting Requirements**
C.1, C.2, C.5, C.6, C.8, C.9, C.10	Opacity	7%	Use of enclosed structure and maintenance of a baghouse	Whenever process equipment is operating	Semiannual
			Method 9	As required	As required by the Protocol
C.2, C.3, C.5, C.7, C.8, C.9, C.10	Particulate Emissions	0.01 gr/dscf	Use of enclosed structure and maintenance of a baghouse	Whenever process equipment is operating	Semiannual
			Method 5	Every 4-years	As required by the Protocol
C.2, C.4, C.5, C.6, C.7, C.8, C.9	Particulate Emissions	.05 g/dscm (0.02 gr/dscf)	Use of enclosed structure and maintenance of a baghouse	Whenever process equipment is operating	Semiannual
			Method 5	Every 4-years	As required by the Protocol

Conditions

C.1. YELP shall not cause or authorize emissions to be discharged into the atmosphere from any transfer point on belt conveyors or from any other affected facility any stack emissions that exhibit greater than 7% opacity averaged over 6 consecutive minutes [ARM 17.8.340 and 40 CFR 60.672(a)(2)].

C.2. All storage silos, surge bins, hoppers, limestone crushing and conveyor systems shall utilize baghouses (bag filters) for particulate emission control [ARM 17.8.715].

C.3. The Limestone load-in hopper (used to load-in limestone and coke) shall be enclosed and particulate emissions shall be controlled by a baghouse**.** Particulate emissions from the baghouse shall not exceed 0.01 gr/dscf [ARM 17.8.710].

C.4. YELP shall not cause or authorize emissions to be discharged into the atmosphere from any any transfer point on belt conveyors or from any other affected facility any stack emissions that contain particulate matter in excess of .05 g/dscm (0.02 gr/dscf) [40 CFR 60.672(a)(1)].

Compliance Demonstration

C.5. YELP shall use and maintain a baghouse for monitoring pertaining to the 7% opacity limit in Section III.C.1.and the particulate limit in Section III.C.3 and Section III.C.4.

C.6. A Method 9 test shall be performed as requested by the Department. The test methods and procedures shall be conducted in accordance with the Montana Source Test Protocol and Procedures Manual [ARM 17.8.106].

C.7. A Method 5 test or other Department approved test shall be performed every 4-years. The test methods and procedures shall be conducted in accordance with the Montana Source Test Protocol and Procedures Manual [ARM 17.8.106].

Recordkeeping

C.8. YELP shall maintain a log of corrective actions and all repair and maintenance activity performed on the baghouse. The log shall include, but is not limited to, the identification information for the baghouse, the date of the maintenance and/or corrective action, the name(s) of repair personnel, description of the maintenance activity and the item(s) repaired or replaced. The log shall be available to the Department for inspection and must be submitted to the Department upon request.

Reporting

C.9. The Method 9 test and Method 5 test or other Department approved test reports shall be submitted in accordance with the Montana Source Test Protocol and Procedures Manual [ARM 17.8.106].

C.10. The annual compliance report required by Section V.B must contain a certification statement for the above applicable requirements. The semiannual compliance monitoring reports shall include the following:

a. Verification that the baghouse was operated and maintained during the operation of equipment;

b. Verification that the log required in Section III.C.8 was maintained and provide a summary of maintenance performed and corrective actions taken during the period as required; and

c. Provide a summary of the results of any reference method test performed during the reporting period. The actual test report should be submitted as specified by the Montana Source Test Protocol and Procedures Manual.

D. Outdoor Coke Loading, Handling and Storage

EU04 Coke Storage and Handling at EXXON, EU05 Coke Loading to Stockpile, EU06 Loading Coke from Stockpile to Hopper, EU07 Coke Storage and Handling

Coke Loading, Handling and Storage					
Condition(s)	**Pollutant/Parameter**	**Permit Limit**	**Compliance Demonstration Method**	**Compliance Demonstration Frequency**	**Reporting Requirements**
D.1, D.2, D.3, D.6, D.7, D.9, D.10, D.11, D.12,x D.13	Opacity	20%	Use of enclosed structure and maintenance of a baghouse	Whenever process equipment is operating	Semiannually
			Method 9	As required	As required by the Protocol
			Visual Surveys	Daily or when coke piles disturbed	Semiannually
D.3, D.4, D.6, D.8, D.11, D.12	Particulate Emissions	0.01 gr/dscf	Use of enclosed structure and maintenance of a baghouse	Whenever process equipment is operating	Semiannually
			Method 5	Every 4-years	As required by the Protocol
D.3, D.5, D.6, D.9, D.10, D.11, D.13	Particulate Matter	18.1 ton/yr	Normal Operations	Ongoing	Semiannually
			Visual Surveys	Daily or when coke piles disturbed	Semiannually

Conditions

D.1. YELP shall not cause or authorize emissions to be discharged into the outdoor atmosphere from any source that exhibits an opacity of 20% or greater averaged over 6 consecutive minutes [ARM 17.8.304].

D.2. YELP shall not cause or authorize the production, handling, transportation, or storage of any material unless reasonable precautions to control emissions of particulate matter are taken. Such emissions of airborne particulate matter from any stationary source shall not exhibit an opacity of 20% or greater averaged over 6 consecutive minutes unless otherwise specified by rule or in this permit [ARM 17.8.308].

D.3. All storage silos, surge bins, hoppers, and pneumatic coke truck unloading shall utilize baghouses (bag filters) for particulate emission control [ARM 17.8.710].

D.4. The Limestone load-in hopper (used to load-in limestone and coke) shall be enclosed and particulate emissions shall be controlled by a baghouse**.** Particulate emissions from the baghouse shall not exceed 0.01 gr/dscf [ARM 17.8.715].

D.5. Particulate Matter emissions from the coke storage facility and loading areas are limited to 18.1 ton/yr [ARM 17.8.715].

Compliance Demonstration

D.6. YELP shall use and maintain a baghouse for monitoring pertaining to the 20% opacity limit in Section III.D.1 and the particulate emission limit and emission control requirements in Section III.D.3-5.

D.7. A Method 9 test shall be performed as requested by the Department. The test methods and procedures shall be conducted in accordance with the Montana Source Test Protocol and Procedures Manual [ARM 17.8.106].

D.8. A Method 5 test or other Department approved test shall be performed every 4-years on the baghouse. The test methods and procedures shall be conducted in accordance with the Montana Source Test Protocol and Procedures Manual [ARM 17.8.106].

D.9. At least daily or when coke piles are disturbed, during daylight hours, YELP shall visually survey all outside Coke handling areas and stockpiles to ensure compliance with Section III.D.2 and D.5. The person(s) conducting this survey does not have to be EPA Method 9 certified. However, the observer must be trained and know how the visibility of emissions are affected by background contrast, ambient lighting, observer position relative to lighting, and wind. If a source or sources of excessive fugitive emissions are identified, YELP shall use water and/or chemical dust suppressant to minimize the fugitive emissions unless weather conditions would make this activity result in hazardous conditions. The person(s) conducting the survey shall record the results of the survey in a log.

Recordkeeping

D.10. YELP shall maintain a daily log recording the results of the visual surveys. The log shall include, but is not limited to, the date, time, observer(s), observer(s)' s location, the area being surveyed, and the results of the visual survey(s). If any preventative or corrective action is required, the time, date, and a description of the action taken must be included in the log. The log shall be available to the Department for inspection and must be submitted to the Department upon request.

D.11. YELP shall maintain a log of corrective actions and all repair and maintenance activity performed on the baghouse. The log shall include, but is not limited to, the identification information for the baghouse, the date of the maintenance and/or corrective action, the name(s) of repair personnel, description of the maintenance activity and the item(s) repaired or replaced. The log shall be available to the Department for inspection and must be submitted to the Department upon request.

Reporting

D.12. The Method 9 test and Method 5 test or other Department approved test reports shall be submitted in accordance with the Montana Source Test Protocol and Procedures Manual [ARM 17.8.106].

D.13. The annual compliance report required by Section V.B must contain a certification statement for the above applicable requirements. The semiannual compliance monitoring reports shall include the following:

a. Verification that the baghouse was operated and maintained during the operation of equipment;

b. Verification the visual surveys were performed and recorded as specified by Section III.D.9;

c. Verification that the log required in Section III.D.10 was maintained and provide a summary of maintenance performed and corrective actions taken during the period;

d. Identify any instances of excessive fugitive emissions and provide a summary of any corrective action taken; and

e. Provide a summary of the results of any reference method test performed during the reporting period. The actual test report should be submitted as specified by the Montana Source Test Protocol and Procedures Manual.

E. Coke Unloading/Crushing/Processing Facility and Coke Barn

EU08 Coke Unloading/Crushing/Processing Facility and EU09 Coke Barn

Coke Unloading/Crushing Processing Facility and Coke Barn					
Condition(s)	**Pollutant/Parameter**	**Permit Limit**	**Compliance Demonstration Method**	**Compliance Demonstration Frequency**	**Reporting Requirements**
E.1, E.2, E.4, E.5, E.7, E.8, E.9, E.13, E.14	Opacity	20%	Use of enclosed structure and maintenance of a baghouse	Whenever process equipment is operating	Semiannual
			Method 9	As required	As required by the Protocol
E.3, E.4, E.5, E.7, E.9, E.11, E.13, E.14	Particulate Emissions	0.01 gr/dscf	Use of enclosed structure and maintenance of a baghouse	Whenever process equipment is operating	Semiannual
			Method 5	Every 4-years	As required by the Protocol
E.6, E.10, E.12, E.14	Emission Control Requirement	Coke storage and processing not to exceed 240,900 tons during any rolling 12-month period.	Record-keeping	As necessary	Semiannual

Conditions

E.1. YELP shall not cause or authorize emissions to be discharged into the outdoor atmosphere from any source that exhibit an opacity of 20% or greater averaged over 6 consecutive minutes [ARM 17.8.304].

E.2. YELP shall not cause or authorize the production, handling, transportation, or storage of any material unless reasonable precautions to control emissions of particulate matter are taken. Such emissions of airborne particulate matter from any stationary source shall not exhibit an opacity of 20% or greater averaged over 6 consecutive minutes unless otherwise specified by rule or in this permit [ARM 17.8.308].

E.3. Baghouse filter emission from the Coke Unloading/Crushing/Processing Facility shall not exceed 0.01 gr/dscf [ARM 17.8.715].

E.4. The coke unloading/crushing/processing plant shall be completely enclosed and utilize a baghouse to control emissions from the crusher, screen, and associated conveyors [ARM 17.8.715].

E.5. The Coke Barn shall be enclosed. In addition, the conveyor system linking the coke unloading/crushing/processing plant to the coke barn shall be enclosed [ARM 17.8.715].

E.6. The total amount of petroleum coke processed and stored shall not exceed 240,900 tons during any rolling 12 month period [ARM 17.8.715].

Compliance Demonstration

E.7. YELP shall use and maintain a baghouse for monitoring pertaining to the 20% opacity limit in Section III.E.1 and the particulate emission limit requirement in Section III.E.3.

E.8. A Method 9 test shall be performed as requested by the Department. The test methods and procedures shall be conducted in accordance with the Montana Source Test Protocol and Procedures Manual [ARM 17.8.106].

E.9. A Method 5 test or other Department approved test shall be performed on the coke unloading/crushing/processing facility baghouse every 4-years. The test methods and procedures shall be conducted in accordance with the Montana Source Test Protocol and Procedures Manual [ARM 17.8.106].

E.10. YELP shall perform recordkeeping to demonstrate compliance with Section III.E.6.

Recordkeeping

E.11. YELP shall maintain a log of corrective actions and all repair and maintenance activity performed on the Coke Unloading/Crushing/Processing Facility Baghouse. The log shall include, but is not limited to, the identification information for the baghouse, the date of the maintenance and/or corrective action, the name(s) repair personnel, description of the maintenance activity and the item(s) repaired or replaced. The log shall be available to the Department for inspection and must be submitted to the Department upon request.

E.12. Once the Coke Unloading/Crushing/Processing Facility becomes operational, YELP shall begin calculating a 12-month total of the amount of petroleum coke received. By the 25th of each month, YELP shall calculate and record in a log, a new 12-month total using the previous twelve months' data of petroleum coke received. The log should include the date and the amount of coke received for each month.

Reporting

E.13. The Method 9 test and Method 5 test or other Department approved test reports shall be submitted in accordance with the Montana Source Test Protocol and Procedures Manual [ARM 17.8.106].

E.14. The annual compliance report required by Section V.B must contain a certification statement for the above applicable requirements. The semiannual compliance monitoring reports shall include the following:

a. Verification that the baghouse was operated and maintained during the operation of equipment;

b. Verification that the log required in Section III.E.11 was maintained and provide a summary of maintenance performed and corrective actions taken during the period;

c. Verification that coke processed and stored was is in accordance with Section III.E.12 and provide the amount of coke processed and stored during the period and the amounts stored and processed from the previous 12 months;

d. Provide a summary of the results of any reference method test performed during the reporting period. The actual test report should be submitted as specified by the Montana Source Test Protocol and Procedures Manual.

F. Ash Unloading, Handling and Storage

EU10 Ash Handling and Storage and EU11 Ash Unload to Trucks

Ash Unloading, Handling and Storage					
Condition(s)	**Pollutant/Parameter**	**Permit Limit**	**Compliance Demonstration Method**	**Frequency**	**Reporting Requirements**
F.1, F.2, F.4, F.5, F.7, F.8, F.9	Opacity	20%	Use and maintenance of a baghouse	Whenever process equipment is operating	Semiannual
			Method 9	As required	As required by the Protocol
F.3, F.4, F.6, F.7, F.8, F.9	Particulate Emissions	0.01 gr/dscf	Use and maintenance of a baghouse	Whenever process equipment is operating	Semiannual
			Method 5	Every 4-years	As required by the Protocol

Conditions

F.1. YELP shall not cause or authorize emissions to be discharged into the outdoor atmosphere from any source that exhibits an opacity of 20% or greater averaged over 6 consecutive minutes [ARM 17.8.304].

F.2. YELP shall not cause or authorize the production, handling, transportation, or storage of any material unless reasonable precautions to control emissions of particulate matter are taken. Such emissions of airborne particulate matter from any stationary source shall not exhibit an opacity of 20% or greater averaged over 6 consecutive minutes unless otherwise specified by rule or in this permit [ARM 17.8.308].

F.3. Baghouse filter emission from Ash Storage and Unloading shall not exceed 0.01 gr/dscf [ARM 17.8.715].

Compliance Demonstration

F.4. YELP shall use and maintain a baghouse for monitoring pertaining to the 20% opacity limit in Section III.F.1 and the particulate emission limit requirement in Section III.F.3.

F.5. A Method 9 test shall be performed as requested by the Department. The test methods and procedures shall be conducted in accordance with the Montana Source Test Protocol and Procedures Manual [ARM 17.8.106].

F.6. A Method 5 test or other Department approved test shall be performed every 4-years. The test methods and procedures shall be conducted in accordance with the Montana Source Test Protocol and Procedures Manual [ARM 17.8.106].

Recordkeeping

F.7. YELP shall maintain a log of corrective actions and all repair and maintenance activity performed on the baghouse. The log shall include, but is not limited to, the identification information for the baghouse, the date of the maintenance and/or corrective action, the name(s) of repair personnel, description of the maintenance activity and the item(s) repaired or replaced. The log shall be available to the Department for inspection and must be submitted to the Department upon request.

Reporting

F.8. The Method 9 test and Method 5 test or other Department approved test reports shall be submitted in accordance with the Montana Source Test Protocol and Procedures Manual [ARM 17.8.106].

F.9. The annual compliance report required by Section V.B must contain a certification statement for the above applicable requirements. The semiannual compliance monitoring reports shall include the following:

a. Verification that the baghouse was maintained and in place during operation of equipment;

b. Verification that the log required in Section III.F.7 was maintained and provide a summary of maintenance performed and corrective actions taken during the period; and

c. Provide a summary of the results of any reference method test performed during the reporting period. The actual test report should be submitted as specified by the Montana Source Test Protocol and Procedures Manual.

G. Fugitive Emissions: Vehicle Traffic

EU12 Paved Roads

Fugitive Emissions: Vehicle Traffic					
Condition(s)	**Pollutant/Parameter**	**Permit Limit**	**Compliance Demonstration Method**	**Frequency**	**Reporting Requirements**
G.1,G.2, G.3, G.5, G.6	Opacity	20%	Method 9	As required	Annually
G.1, G.2, G.3, G.4, G.5, G.6	Opacity	---------	Reasonable Precautions	As necessary	Annually

Conditions

G.1. YELP shall not cause or authorize the production, handling, transportation, or storage of any material unless reasonable precautions to control emissions of particulate matter are taken. Such emissions of airborne particulate from any stationary source shall not exhibit an opacity of 20% or greater averaged over 6-consecutive minutes [ARM 17.8.308(1)].

G.2. YELP shall not cause or authorize the use of any access roads, parking lots, or the general plant area without taking reasonable precautions to control emissions of airborne particulate matter [ARM 17.8.308(2)].

Compliance Demonstration

G.3. As required by the Department, YELP shall perform a Method 9 test in accordance with Montana Source Protocol and Procedures Manual [ARM 17.8.106]. Each observation period shall be a minimum of 6 minutes unless any one reading is 20% or greater, then the observation period shall be a minimum of 20 minutes or until a violation of the standard has been documented, whichever is a shorter period of time.

G.4. YELP shall treat all unpaved portions of the access roads, parking lots, and general plant area with fresh water and/or chemical dust suppressant as necessary to maintain compliance with the reasonable precaution requirement.

Recordkeeping

G.5. Method 9 test reports must be maintained onsite and must be submitted to the Department upon request.

Reporting

G.6. The annual compliance report required by Section V.B must contain a certification statement for the above applicable requirements. The semiannual compliance monitoring reports shall include the following:

a. Provide the results of the Method 9 tests as required by the Department, the actual test report must be submitted to the Department only upon request specified by Section III.G.5; and

b. Certify annually whether the fugitive emissions from Vehicle Traffic are in compliance with ARM 17.8.304 and 17.8.308.

H. Cat Slurry Oil Tank

EU13 Cat Slurry Oil Tank

Cat Slurry Oil Tank					
Condition(s)	**Pollutant/Parameter**	**Permit Limit**	**Compliance Demonstration Method**	**Frequency**	**Reporting Requirements**
H.1, H.4, H.7	Opacity	20%	Normal Operations	No Method	Annually
H.2, H.4, H.7	Emission Control Requirement	30,000 gallons heated tank	Normal Operations	As necessary	Annually
H.3, H.5, H.6, H.7	NSPS Standards	All Applicable Provisions of Subpart Kb	Record-keeping	As necessary	Annually

Conditions

H.1. YELP shall not cause or authorize emissions to be discharged into the outdoor atmosphere from any source that exhibit an opacity of 20% or greater averaged over 6 consecutive minutes [ARM 17.8.304].

H.2. YELP shall install and operate a storage tank for cat slurry oil of no greater than 30, 000 gallons. The tank shall be heated using steam from the YELP [ARM 17.8.710].

H.3. YELP shall be subject to, at a minimum, all applicable NSPS provisions, as appropriate, of 40 CFR 60, Subpart Kb 60.110b through 60.117b (Standards of Performance for Volatile Organic Liquid Storage Vessels, including: Petroleum Liquid Storage Vessels) for which construction, reconstruction, or modification commenced after July 23, 1984 [ARM 17.8.340].

Compliance Demonstration

H.4. YELP is not required to perform any monitoring or recordkeeping to demonstrate compliance with ARM 17.8.304 or 710.

H.5. YELP shall monitor operations of the CAT slurry oil tank in accordance 40 CFR 60, Subpart Kb 60.116b.

Recordkeeping

H.6. YELP shall keep all records in accordance with 60.116b. MSCC is not required to perform any recordkeeping to demonstrate compliance with ARM 17.8.304.

Reporting

H.7. The annual compliance report required by Section V.B must contain a certification statement for the above applicable requirements. The semiannual compliance monitoring reports are not required for this source.

SECTION IV. NON-APPLICABLE REQUIREMENTS

Air Quality Administrative Rules of Montana (ARM) and Federal Regulations identified as not applicable to the facility or to a specific emissions unit at the time of the permit issuance are listed below [ARM 17.8.1214]. The following list does not preclude the need to comply with any new requirements that may become applicable during the permit term.

A. Facility-Wide

The following table contains non-applicable requirements that are administrated by the Air and Waste Management Bureau of the Department of Environmental Quality (DEQ).

Rule Citation	Reason
40 CFR 60, Subparts C, Ca, Cb, Cc, Cd, Db, Dc, E, F, G, H, I, J, K, Ka, L-X, Z, AA-EE, GG-HH, KK-NN, PP-XX, AAA-BBB, DDD, FFF-LLL, NNN, PPP-QQQ, RRR-WWW 40 CFR 61 (Except subpart A, subpart M and appendices); 40 CFR 63 (Except subpart A and appendices); 40 CFR 68; 40 CFR 82 (Except subparts B&F).	These requirements are not applicable because this facility is not an "affected facility" under these regulations.
40 CFR 72 through 78	These requirements are not applicable because the facility is not an affected source as defined by the acid rain regulations.
ARM 17.8.316 ARM 178.320 ARM 17.8.321, ARM 17.8.323, ARM 17.8 331, ARM 17.8.332, ARM 17.8.333, ARM 17.8.334, and ARM 17.8.610.	These rules are not applicable because the facility is not listed in the source category cited in the rules.

B. Emission Units

The permit application identified applicable requirements as well as non-applicable requirements. The Department has listed all non-applicable requirements in Section IV.A. These requirements relate to each specific unit as well as facility wide.

SECTION V. GENERAL PERMIT CONDITIONS

A. Compliance Requirements

ARM 17.8, Subchapter 12, Operating Permit Program §1210(2)(a)-(c)&(e), §1206(6)(c)&(b)

1. The permittee must comply with all conditions of the permit. Any noncompliance with the terms or conditions of the permit constitutes a violation of the Montana Clean Air Act, and may result in enforcement action, permit modification, revocation and reissuance, or termination, or denial of a permit renewal application under ARM Title 17, Chapter 8, Subchapter 12.

2. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition.

3. It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of the permit. If appropriate, this factor may be considered as a mitigating factor in assessing a penalty for noncompliance with an applicable requirement if the source demonstrates that both the health, safety or environmental impacts of halting or reducing operations would be more serious than the impacts of continuing operations, and that such health, safety or environmental impacts were unforeseeable and could not have otherwise been avoided.

4. The permittee shall furnish to the Department, within a reasonable time set by the Department (not to be less than 15 days), any information that the Department may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit, or to determine compliance with the permit. Upon request, the permittee shall also furnish to the Department copies of those records that are required to be kept pursuant to the terms of the permit. This subsection does not impair or otherwise limit the right of the permittee to assert the confidentiality of the information requested by the Department, as provided in 75-2-105, MCA.

5. Any schedule of compliance for applicable requirements with which the source is not in compliance with at the time of permit issuance shall be supplemental to, and shall not sanction noncompliance with, the applicable requirements on which it was based.

6. For applicable requirements that will become effective during the permit term, the source shall meet such requirements on a timely basis unless a more detailed plan or schedule is required by the applicable requirement or the Department.

B. Certification Requirements

ARM 17.8, Subchapter 12, Operating Permit Program §1207 and §1213(7)(a)&(c)-(e)

1. Any application form, report, or compliance certification submitted pursuant to ARM Title 17, Chapter 8, Subchapter 12, shall contain certification by a responsible official of truth, accuracy and completeness. This certification and any other certification required under ARM Title 17, Chapter 8, Subchapter 12, shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate and complete.

2. Compliance certifications shall be submitted by January 31 of each year, or more frequently if otherwise specified in an applicable requirement or elsewhere in the permit. Each certification must include the required information for the previous calendar year (i.e., January 1 – December 31).

3. Compliance certifications shall include the following:

   a. The identification of each term or condition of the permit that is the basis of the certification;

   b. The compliance status as shown by monitoring or other information required by the permit or otherwise reasonably available to the source;

   c. Whether compliance was continuous or intermittent;

   d. The method(s) used for determining the compliance status of the source, currently and over the reporting period, consistent with ARM 17.8.1212; and

   e. Such other facts as the Department may require to determine the compliance status of the source.

4. All compliance certifications must be submitted to the Environmental Protection Agency, as well as to the Department, at the addresses listed in the Notification Addresses Appendix of this permit.

C. Permit Shield

ARM 17.8, Subchapter 12, Operating Permit Program §1214(1)-(4)

1. The applicable requirements and non-federally enforceable requirements are included and specifically identified in this permit and the permit includes a precise summary of the requirements not applicable to the source. Compliance with the conditions of the permit shall be deemed compliance with any applicable requirements and any non-federally enforceable requirements as of the date of permit issuance.

2. The permit shield described in 1 above shall remain in effect during the appeal of any permit action (renewal, revision, reopening, or revocation and reissuance) to the Board of Environmental Review (Board), until such time as the Board renders its final decision.

3. Nothing in this permit alters or affects the following:

   a. The provisions of Sec. 7603 of the FCAA, including the authority of the administrator under that section.

   b. The liability of an owner or operator of a source for any violation of applicable requirements prior to or at the time of permit issuance.

   c. The applicable requirements of the Acid Rain Program, consistent with Sec. 7651g(a) of the FCAA.

d. The ability of the administrator to obtain information from a source pursuant to Sec. 7414 of the FCAA.

e. The ability of the Department to obtain information from a source pursuant to the Montana Clean Air Act, Title 75, Chapter 2, MCA.

f. The emergency powers of the Department under the Montana Clean Air Act, Title 75, Chapter 2, MCA.

g. The ability of the Department to establish or revise requirements for the use of reasonably available control technology (RACT) as defined in ARM Title 17, Chapter 8. However, if the inclusion of a RACT into the permit pursuant to ARM Title 17, Chapter 8, Subchapter 12, is appealed to the Board, the permit shield, as it applies to the source's existing permit, shall remain in effect until such time as the Board has rendered its final decision.

4. Nothing in this permit alters or affects the ability of the Department to take enforcement action for a violation of an applicable requirement or permit term demonstrated pursuant to ARM 17.8.106, Source Testing Protocol.

5. Pursuant to ARM 17.8.132, for the purpose of submitting a compliance certification, nothing in these rules shall preclude the use, including the exclusive use, of any credible evidence or information relevant to whether a source would have been in compliance. However, when compliance or noncompliance is demonstrated by a test or procedure provided by permit or other applicable requirements, the source shall then be presumed to be in compliance or noncompliance unless that presumption is overcome by other relevant credible evidence.

6. The permit shield will not extend to minor permit modifications or changes not requiring a permit revision (see Sections I & J).

7. The permit shield will extend to significant permit modifications and transfer or assignment of ownership (see Sections K & N).

D. Monitoring, Recordkeeping, and Reporting Requirements
ARM 17.8, Subchapter 12, operating Permit Program §1212(2)&(3)

1. Unless otherwise provided in this permit, the permittee shall maintain compliance monitoring records that include the following information.

a. The date, place as defined in the permit, and time of sampling or measurement;

b. The date(s) analyses were performed;

c. The company or entity that performed the analyses;

d. The analytical techniques or methods used;

e. The results of such analyses; and

f. The operating conditions at the time of sampling or measurement.

2. The permittee shall retain records of all required monitoring data and support information for a period of at least 5 years from the date of the monitoring sample, measurement, report, or application. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit. All monitoring data, support information, and required reports and summaries may be maintained in computerized form at the plant site if the information is made available to Department personnel upon request, which may be for either hard copies or computerized format. Strip-charts must be maintained in their original form at the plant site and shall be made available to Department personnel upon request.

3. The permittee shall submit to the Department, at the addresses located in the Notification Addresses Appendix of this permit, reports of any required monitoring by January 31 and July 31 of each year, or more frequently if otherwise specified in an applicable requirement or elsewhere in the permit. The monitoring report submitted on January 31 of each year must include the required monitoring information for the period of July 1 through December 31 of the previous year. The monitoring report submitted on July 31 of each year must include the required monitoring information for the period of January 1 through June 30 of the current year. All instances of deviations from the permit requirements must be clearly identified in such reports. All required reports must be certified by a responsible official, consistent with ARM 17.8.1207.

E. Prompt Deviation Reporting

ARM 17.8, Subchapter 12, Operating Permit Program §1212(3)(c)

The permittee shall promptly report deviations from permit requirements, including those attributable to upset conditions as defined in the permit, the probable cause of such deviations, and any corrective actions or preventive measures taken. To be considered prompt, deviations shall be reported as part of the routine reporting requirements under ARM 17.8.1212(3)(b) and, if applicable, in accordance with the malfunction reporting requirements under ARM 17.8.110, unless otherwise specified in an applicable requirement.

F. Emergency Provisions

ARM 17.8, Subchapter 12, Operating Permit Program §1201(13) and §1214(5), (6)&(8)

1. An "emergency" means any situation arising from sudden and reasonably unforeseeable events beyond the control of the source, including acts of God, which situation requires immediate corrective action to restore normal operation and causes the source to exceed a technology-based emission limitation under this permit due to the unavoidable increases in emissions attributable to the emergency. An emergency shall not include noncompliance to the extent caused by improperly designed equipment, lack of reasonable preventive maintenance, careless or improper operation, or operator error.

2. An emergency constitutes an affirmative defense to an action brought for noncompliance with a technology-based emission limitation if the permittee demonstrates through properly signed, contemporaneous logs, or other relevant evidence, that:

    a. An emergency occurred and the permittee can identify the cause(s) of the emergency.

b. The permitted facility was at the time being properly operated.

c. During the period of the emergency the permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards or other requirements in the permit.

d. The permittee submitted notice of the emergency to the Department within 2 working days of the time when emission limitations were exceeded due to the emergency. This notice fulfills the requirements of ARM 17.8.1212(3)(c). This notice must contain a description of the emergency, any steps taken to mitigate emissions, and corrective actions taken.

3. These emergency provisions are in addition to any emergency, malfunction or upset provision contained in any applicable requirement.

G. Inspection and Entry
ARM 17.8, Subchapter 12, Operating Permit Program §1213(3)&(4)

1. Upon presentation of credentials and other requirements as may be required by law, the permittee shall allow the Department, the administrator, or an authorized representative (including an authorized contractor acting as a representative of the Department or the administrator) to perform the following:

a. Enter the premises where a source required to obtain a permit is located or emissions-related activity is conducted, or where records must be kept under the conditions of the permit.

b. Have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit.

c. Inspect at reasonable times any facilities, emission units, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit.

d. As authorized by the Montana Clean Air Act and rules promulgated thereunder, sample or monitor, at reasonable times, any substances or parameters at any location for the purpose of assuring compliance with the permit or applicable requirements.

2. The permittee shall inform the inspector of all workplace safety rules or requirements at the time of inspection. This section shall not limit in any manner the Department's statutory right of entry and inspection as provided for in 75-2-403, MCA.

H. Fee Payment
ARM 17.8, Subchapter 12, Operating Permit Program §1210(2)(f) and ARM 17.8, Subchapter 5, Air Quality Permit Application, Operation, and Open Burning Fees §505(3)-(5) (STATE ONLY)

1. The permittee must pay application and operating fees, pursuant to ARM Title 17, Chapter 8, Subchapter 5.

2. Annually, the Department shall provide the permittee with written notice of the amount of the fee and the basis for the fee assessment. The air quality operation fee is due 30 days after receipt of the notice, unless the fee assessment is appealed pursuant to ARM 17.8.511. If any portion of the fee is not appealed, that portion of the fee that is not appealed is due 30 days after receipt of the notice. Any remaining fee, which may be due after the completion of an appeal, is due immediately upon issuance of the Board's decision or upon completion of any judicial review of the Board's decision.

3. If the permittee fails to pay the required fee (or any required portion of an appealed fee) within 90 days of the due date of the fee, the Department may impose an additional assessment of 15% of the fee (or any required portion of an appealed fee) or $100, whichever is greater, plus interest on the fee (or any required portion of an appealed fee), computed at the interest rate established under 15-31-510(3), MCA.

I. Minor Permit Modifications

ARM 17.8, Subchapter 12, Operating Permit Program §1226(3)&(11)

1. An application for a minor permit modification need only address in detail those portions of the permit application that require revision, updating, supplementation, or deletion, and may reference any required information that has been previously submitted.

2. The permit shield under ARM 17.8.1214 will not extend to any minor modifications processed pursuant to ARM 17.8.1226.

J. Changes Not Requiring Permit Revision

ARM 17.8, Subchapter 12, Operating Permit Program §1224(1)-(3), (5)&(6)

1. The permittee is authorized to make changes within the facility as described below, provided the following conditions are met.

   a. The proposed changes do not require the permittee to obtain an air quality preconstruction permit under ARM Title 17, Chapter 8, Subchapter7.

   b. The proposed changes are not modifications under Title I of the FCAA, or as defined in ARM Title 17, Chapter 8, Subchapters 8, 9, or 10.

   c. The emissions resulting from the proposed changes do not exceed the emissions allowable under this permit, whether expressed as a rate of emissions or in total emissions.

   d. The proposed changes do not alter permit terms that are necessary to enforce applicable emission limitations on emission units covered by the permit.

   e. The facility provides the administrator and the Department with written notification at least 7 days prior to making the proposed changes.

2. The permittee and the Department shall attach each notice provided pursuant to 1.e above to their respective copies of this permit.

3. Pursuant to the conditions above, the permittee is authorized to make Section 502(b)(10) changes, as defined in ARM 17.8.1201(30), without a permit revision. For each such change, the written notification required under 1.e above shall include a description of the change within the source, the date on which the change will occur, any change in emissions, and any permit term or condition that is no longer applicable as a result of the change.

4. The permittee may make a change not specifically addressed or prohibited by the permit terms and conditions without requiring a permit revision, provided the following conditions are met.

    a. Each proposed change does not weaken the enforceability of any existing permit conditions.

    b. The Department has not objected to such change.

    c. Each proposed change meets all applicable requirements and does not violate any existing permit term or condition.

    d. The permittee provides contemporaneous written notice to the Department and the administrator of each change that is above the level for insignificant emission units as defined in ARM 17.8.1201(22) and 17.8.1206(3), and the written notice describes each such change, including the date of the change, any change in emissions, pollutants emitted, and any applicable requirement that would apply as a result of the change.

5. The permit shield authorized by ARM 17.8.1214 shall not apply to changes made pursuant to ARM 17.8.1224(3) and (5), but is applicable to terms and conditions that allow for increases and decreases in emissions pursuant to ARM 17.8.1224(4).

K. Significant Permit Modifications
ARM 17.8, Subchapter 12, Operating Permit Program §1227(1), (3)&(4)

1. The modification procedures set forth in 2 below must be used for any application requesting a significant modification of this permit. Significant modifications include the following:

    a. Any permit modification that does not qualify as either a minor modification or as an administrative permit amendment;

    b. Every significant change in existing permit monitoring terms or conditions;

    c. Every relaxation of permit reporting or recordkeeping terms or conditions that limit the Department's ability to determine compliance with any applicable rule, consistent with the requirements of the rule; or

    d. Any other change determined by the Department to be significant.

2. Significant modifications shall meet all requirements of ARM Title 17, Chapter 8, including those for applications, public participation, and review by affected states and the administrator, as they apply to permit issuance and renewal, except that an application for a significant permit modification need only address in detail those portions of the permit application that require revision, updating, supplementation or deletion.

3. The permit shield provided for in ARM 17.8.1214 shall extend to significant modifications.

L. Reopening For Cause

ARM 17.8, Subchapter 12, Operating Permit Program §1228(1)&(2)

1. This permit may be reopened and revised under the following circumstances.

   a. Additional applicable requirements under the FCAA become applicable to the facility when the permit has a remaining term of 3 or more years. Reopening and revision of the permit shall be completed not later than 18 months after promulgation of the applicable requirement. No reopening is required under ARM 17.8.1228(1)(a) if the effective date of the applicable requirement is later than the date on which the permit is due to expire, unless the original permit or any of its terms or conditions have been extended pursuant to ARM 17.8.1220(12) or 17.8.1221(2).

   b. Additional requirements (including excess emission requirements) become applicable to an affected source under the Acid Rain Program. Upon approval by the administrator, excess emission offset plans shall be deemed incorporated into the permit.

   c. The Department or the administrator determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emission standards or other terms or conditions of the permit.

   d. The administrator or the Department determines that the permit must be revised or revoked and reissued to ensure compliance with the applicable requirements.

M. Permit Expiration and Renewal

ARM 17.8, Subchapter 12, Operating Permit Program §1210(2)(g), §1220(11)&(12), and §1205(2)(d)

1. This permit is issued for a fixed term of 5 years.

2. Renewal of this permit is subject to the same procedural requirements that apply to permit issuance, including those for application, content, public participation, and affected state and administrator review.

3. Expiration of this permit terminates the permittee's right to operate unless a timely and administratively complete renewal application has been submitted consistent with ARM 17.8.1221 and 17.8.1205(2)(d). If a timely and administratively complete application has been submitted, all terms and conditions of the permit, including the application shield, remain in effect after the permit expires until the permit renewal has been issued or denied.

4. For renewal, the permittee shall submit a complete air quality operating permit application to the Department not later than 6 months prior to the expiration of this permit, unless otherwise specified. If necessary to ensure that the terms of the existing permit will not lapse before renewal, the Department may specify, in writing to the permittee, a longer time period for submission of the renewal application. Such written notification must be provided at least 1 year before the renewal application due date established in the existing permit.

N. Severability Clause
ARM 17.8, Subchapter 12, Operating Permit Program §1210(2)(i)&(l)

1. The administrative appeal or subsequent judicial review of the issuance by the Department of an initial permit under this subchapter shall not impair in any manner the underlying applicability of all applicable requirements, and such requirements continue to apply as if a final permit decision had not been reached by the Department.

2. If any provision of a permit is found to be invalid, all valid parts that are severable from the invalid part remain in effect. If a provision of a permit is invalid in one or more of its applications, the provision remains in effect in all valid applications that are severable from the invalid applications.

O. Transfer or Assignment of Ownership
ARM 17.8, Subchapter 12, Operating Permit Program §1225(2)&(4)

1. If an administrative permit amendment involves a change in ownership or operational control, the applicant must include in its request to the Department a written agreement containing a specific date for the transfer of permit responsibility, coverage and liability between the current and new permittee.

2. The permit shield provided for in ARM17.8.1214 shall not extend to administrative permit amendments.

P. Emissions Trading, Marketable Permits, Economic Incentives
ARM 17.8, Subchapter 12, Operating Permit Program §1226(2)

Notwithstanding ARM 17.8.1226(1) and (7), minor air quality operating permit modification procedures may be used for permit modifications involving the use of economic incentives, marketable permits, emissions trading, and other similar approaches, to the extent that such minor permit modification procedures are explicitly provided for in the Montana State Implementation Plan or in applicable requirements promulgated by the administrator.

Q. No Property Rights Conveyed
ARM 17.8, Subchapter 12, Operating Permit Program §1210(2)(d)

This permit does not convey any property rights of any sort, or any exclusive privilege.

R. Testing Requirements
ARM 17.8, Subchapter 1, General Provisions §105

The permittee shall comply with ARM 17.8.105.

S. Source Testing Protocol
ARM 17.8, Subchapter 1, General Provisions §106

The permittee shall comply with ARM 17.8.106.

T. Malfunctions
ARM 17.8, Subchapter 1, General Provisions §110

The permittee shall comply with ARM 17.8.110.

U. Circumvention
ARM 17.8, Subchapter 1, General Provisions §111

The permittee shall comply with ARM 17.8.111.

V. Motor Vehicles
ARM 17.8, Subchapter 3, Emission Standards §325

The permittee shall comply with ARM 17.8.325.

W. Annual Emissions Inventory
ARM 17.8, Subchapter 5, Air Quality Permit Application, Operation and Open Burning Fees §505 (STATE ONLY)

The permittee shall supply the Department with annual production and other information for all emission units necessary to calculate actual or estimated actual amount of air pollutants emitted during each calendar year. Information shall be gathered on a calendar-year basis and submitted to the Department by the date required in the emission inventory request, unless otherwise specified in this permit. Information shall be in the units required by the Department.

X. Open Burning
ARM 17.8, Subchapter 6, Open Burning §604, 605 and 606

The permittee shall comply with ARM 17.8.604, 605 and 606.

Y. Preconstruction Permits
ARM 17.8, Subchapter 7, Permit, Construction and Operation of Air Contaminant Sources §705, 708 and 733 (ARM 17.8.705(1)(r), 708 and 733(1)(b) are STATE ENFORCEABLE ONLY until approval by the EPA as part of the SIP)

1. Except as specified, no person shall construct, install, alter or use any air contaminant source or stack associated with any source without first obtaining a permit from the Department or Board. A permit is not required for those sources or stacks as specified by ARM 17.8.705(1)(a)-(q).

2. The permittee shall comply with ARM 17.8.705, 706 and 733.

3. ARM 17.8.705(1)(r)(i) specifies de minimis changes as construction or changed conditions of operation at a facility holding an air quality preconstruction permit issued under Chapter 8 that does not increase the facility's potential to emit by more than 15 tons per year of any pollutant, except (STATE ENFORCEABLE ONLY until approved by the EPA as part of the SIP):

   a. Any construction or changed condition that would violate any condition in the facility's existing air quality preconstruction permit or any applicable rule contained in Chapter 8 is prohibited, except as provided in ARM 17.8.705(2).

   b. Any construction or changed conditions of operation that would qualify as a major modification under Subchapters 8, 9 or 10 of Chapter 8.

   c. Any construction or changed condition of operation that would affect the plume rise or dispersion characteristic of emissions that would cause or contribute to a violation of an ambient air quality standard or ambient air increment as defined in ARM 17.8.804.

   d. Any construction or improvement project with a potential to emit more than 15 tons per year may not be artificially split into smaller projects to avoid air quality preconstruction permitting.

   e. Emission reductions obtained through offsetting within a facility are not included when determining the potential emission increase from construction or changed conditions of operation, unless such reductions are made federally enforceable.

4. Any facility making a de minimis change pursuant to ARM 17.8.705(1)(r) shall notify the Department if the change would include a change in control equipment, stack height, stack diameter, stack gas temperature, source location or fuel specifications, or would result in an increase in source capacity above its permitted operation or the addition of a new emission unit. The notice must be submitted, in writing, 10 days prior to start up or use of the proposed de minimis change, or as soon as reasonably practicable in the event of an unanticipated circumstance causing the de minimis change, and must include the information requested in ARM 17.8.705(1)(r)(iv). (STATE ENFORCEABLE ONLY until approval by the EPA as part of the SIP)

Z. National Emission Standard for Asbestos
40 CFR, Part 61, Subpart M

The permittee shall not conduct any asbestos abatement activities except in accordance with 40 CFR 61, Subpart M (National Emission Standard for Hazardous Air Pollutants for Asbestos).

AA. Asbestos
ARM 17.74, Subchapter 3, General Provisions and Subchapter 4, Fees

The permittee shall comply with ARM 17.74.301, et seq., and ARM 17.74.401, et seq. (State only)

BB. Stratospheric Ozone Protection – Servicing of Motor Vehicle Air Conditioners
40 CFR, Part 82, Subpart B

If the permittee performs a service on motor vehicles and this service involves ozone-depleting substance/refrigerant in the motor vehicle air conditioner (MVAC), the permittee is subject to all the applicable requirements as specified in 40 CFR 82, Subpart B.

CC. Stratospheric Ozone Protection – Recycling and Emission Reductions
40 CFR, Part 82, Subpart F

The permittee shall comply with the standards for recycling and emission reductions in 40 CFR 82, Subpart F, except as provided for MVACs in Subpart B.

1. Persons opening appliances for maintenance, service, repair, or disposal must comply with the required practices pursuant to §82.156.

2. Equipment used during the maintenance, service, repair or disposal of appliances must comply with the standards for recycling and recovery equipment pursuant to §82.158.

3. Persons performing maintenance, service, repair or disposal of appliances must be certified by an approved technical certification program pursuant to §82.161.

4. Persons disposing of small appliances, MVACs and MVAC-like (as defined at §82.152) appliances must comply with recordkeeping requirements pursuant to §82.166.

5. Persons owning commercial or industrial process refrigeration equipment must comply with the leak repair requirements pursuant to §82.156.

6. Owners/operators of appliances normally containing 50 or more pounds of refrigerant must keep records of refrigerant purchased and added to such appliances pursuant to §82.166.

DD. Emergency Episode Plan

The permittee shall comply with the requirements contained in Chapter 9.7 of the State of Montana Air Quality Control Implementation Plan.

Each major source emitting 100 tons per year located in a Priority I Air Quality Control Region, shall submit to the Department a legally enforceable Emergency Episode Action Plan (EEAP) that details how the source will curtail emissions during an air pollutant emergency episode. The industrial EEAP shall be in accordance with the Department's EEAP and shall be submitted according to a timetable developed by the Department, following Priority I reclassification.

EE. Definitions

Terms not otherwise defined in this permit or in the Definitions and Abbreviations Appendix of this permit, shall have the meaning assigned to them in the referenced regulations.

APPENDICES

App. A RULE CITATION

Pursuant to Chapter 418, Laws of Montana 1995, effective July 1, 1995, the Air Quality Division was transferred from the Department of Health and Environmental Sciences to the Department of Environmental Quality. To implement the legislation, ARM 16.8.101 through ARM 16.8.2025, and 16.9.101 through 16.9.106, except any repealed rules, were transferred to the Department of Environmental Quality as ARM 17.8.101 through 17.8.1234 and 17.80.101 through 17.80.106 effective August 22, 1996. On September 19, 1997, the rule transfer was submitted to EPA and is pending approval as part of the State Implementation Plan (SIP). The old citations are still cited in the SIP until EPA approves the rule transfer.

NEW CITATION		OLD CITATION
Sub-chapter 1 – General Provisions		
17.8.101	Definitions	16.8.701
17.8.102	Incorporation by Reference - Publication Dates and Availability of Referenced Documents	16.8.710
17.8.103	Incorporation by Reference	16.8.708
17.8.105	Testing Requirements	16.8.704
17.8.106	Source Testing Protocol	16.8.709
17.8.110	Malfunctions	16.8.705
17.8.111	Circumvention	16.8.707
17.8.120	Variance Procedures – Initial Application	16.8.101
17.8.121	Variance Procedures – Renewal Application	16.8.102
17.8.130	Enforcement Procedures – Notice of Violation –Order to Take Corrective Action	16.8.201
17.8.131	Enforcement Procedures – Appeal to Board	16.8.202
17.8.140	Rehearing Procedures – Form and Filing of Petition	16.8.302
17.8.141	Rehearing Procedures – Filing Requirements	16.8.303
17.8.142	Rehearing Procedures – Board Review	16.8.304
Sub-chapter 2 – Ambient Air Quality		
17.8.201	Definitions	16.8.806
17.8.202	Incorporation by Reference	16.8.823
17.8.204	Ambient Air Monitoring	16.8.807
17.8.205	Enforceability	16.8.808
17.8.206	Methods and Data	16.8.809
17.8.210	Ambient Air Quality Standards for Sulfur Dioxide	16.8.820
17.8.211	Ambient Air Quality Standards for Nitrogen Dioxide	16.8.816
17.8.212	Ambient Air Quality Standards for Carbon Monoxide	16.8.811
17.8.213	Ambient Air Quality Standards for Ozone	16.8.817
17.8.214	Ambient Air Quality Standards for Hydrogen Sulfide	16.8.814
17.8.220	Ambient Air Quality Standards for Settled Particulate Matter	16.8.818
17.8.221	Ambient Air Quality Standards for Visibility	16.8.822
17.8.222	Ambient Air Quality Standards for Lead	16.8.815
17.8.223	Ambient Air Quality Standards for PM-10	16.8.821
17.8.230	Fluoride in Forage	16.8.813

Sub-chapter 3 – Emission Standards

17.8.301	Definitions	16.8.1430
17.8.302	Incorporation by Reference	16.8.1429
17.8.304	Visible Air Contaminants	16.8.1404
17.8.308	Particulate Matter, Airborne	16.8.1401
17.8.309	Particulate Matter, Fuel Burning Equipment	16.8.1402
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App. B INSIGNIFICANT EMISSION UNITS

Disclaimer: The information in this appendix is not State or Federally enforceable, but is presented to assist YELP, the permitting authority, inspectors, and the public.

Pursuant to ARM 17.8.1201(22)(a), an insignificant emission unit means any activity or emission unit located within a source that: (i) has a potential to emit less than five tons per year of any regulated pollutant; (ii) has a potential to emit less than 500 pounds per year of lead; (iii) has a potential to emit less than 500 pounds per year of hazardous air pollutants listed pursuant to section 7412 (b) of the FCAA; and (iv) is not regulated by an applicable requirement, other than a generally applicable requirement that applies to all emission units subject to Subchapter 12.

List of Insignificant Activities:

The following table of insignificant sources and/or activities was provided by YELP. Because there are no requirements to update such a list, the emission units and/or activities may change from those specified in the table.

Emissions Unit ID	Description
IEU01	Fuel Usage:Diesel Fuel
IEU02	Emergency Generators
IEU03	Repair and Maintenance Activities
IEU04	Welding
IEU05	Fuel Storage Tanks
IEU06	Space Heating
IEU07	Wind Erosion of Stockpile

App. C DEFINITIONS and ABBREVIATIONS

"Act" means the Clean Air Act, as amended, 42 U.S. 7401, *et seq*.

"Administrative permit amendment" means an air quality operating permit revision that:

(a) Corrects typographical errors;

(b) Identifies a change in the name, address or phone number of any person identified in the air quality operating permit, or identifies a similar minor administrative change at the source;

(c) Requires more frequent monitoring or reporting by YELP;

(d) Requires changes in monitoring or reporting requirements that the Department deems to be no less stringent than current monitoring or reporting requirements;

(e) Allows for a change in ownership or operational control of a source if the Department has determined that no other change in the air quality operating permit is necessary, consistent with ARM 17.8.1225; or

(f) Incorporates any other type of change that the Department has determined to be similar to those revisions set forth in (a)-(e), above.

"Applicable requirement" means all of the following as they apply to emission units in a source requiring an air quality operating permit (including requirements that have been promulgated or approved by the Department or the administrator through rule making at the time of issuance of the air quality operating permit, but have future-effective compliance dates; provided that such requirements apply to sources covered under the operating permit):

(a) Any standard, rule, or other requirement, including any requirement contained in a consent decree or judicial or administrative order entered into or issued by the Department, that is contained in the Montana state implementation plan approved or promulgated by the administrator through rule making under Title I of the FCAA;

(b) Any federally enforceable term, condition or other requirement of any air quality preconstruction permit issued by the Department under subchapters 7, 8, 9 and 10 of this chapter, or pursuant to regulations approved or promulgated through rule making under Title I of the FCAA, including parts C and D;

(c) Any standard or other requirement under section 7411 of the FCAA, including section 7411(d);

(d) Any standard or other requirement under section 7412 of the FCAA, including any requirement concerning accident prevention under section 7412(r)(7), but excluding the contents of any risk management plan required under section 7412(r);

(e) Any standard or other requirement of the acid rain program under Title IV of the FCAA or regulations promulgated thereunder;

(f) Any requirements established pursuant to section 7661c(b) or section 7414(a)(3) of the FCAA;

(g) Any standard or other requirement governing solid waste incineration, under section 7429 of the FCAA;

(h) Any standard or other requirement for consumer and commercial products, under section 7511b(e) of the FCAA;

(i) Any standard or other requirement for tank vessels, under section 7511b(f) of the FCAA;

(j) Any standard or other requirement of the regulations promulgated to protect stratospheric ozone under Title VI of the FCAA, unless the administrator determines that such requirements need not be contained in an air quality operating permit;

(k) Any national ambient air quality standard or increment or visibility requirement under part C of Title I of the FCAA, but only as it would apply to temporary sources permitted pursuant to section 7661c(e) of the FCAA; or

(l) Any federally enforceable term or condition of any air quality open burning permit issued by the Department under subchapter 6.

"Department" means the Montana Department of Environmental Quality.

"Emission unit" means any part or activity of a stationary source that emits or has the potential to emit any regulated air pollutant or any pollutant listed under section 7412(b) of the FCAA. This term is not meant to alter or affect the definition of the term "unit" for purposes of Title IV of the FCAA.

"FCAA" means the Federal Clean Air Act, as amended.

"Federally enforceable" means all limitations and conditions that are enforceable by the administrator, including those requirements developed pursuant to 40 CFR Parts 60 and 61, requirements within the Montana state implementation plan, and any permit requirement established pursuant to 40 CFR 52.21,or under regulations approved pursuant to 40 CFR Part 51, Subpart I, including operating permits issued under an EPA approved program that is incorporated into the Montana state implementation plan and expressly requires adherence to any permit issued under such program.

"Fugitive emissions" means those emissions that could not reasonably pass through a stack, chimney, vent, or other functionally equivalent opening.

"General air quality operating permit" or **"general permit"** means an air quality operating permit that meets the requirements of ARM 17.8.1222, covers multiple sources in a source category, and is issued in lieu of individual permits being issued to each source.

"Hazardous air pollutant" means any air pollutant listed as a hazardous air pollutant pursuant to section 112(b) of the FCAA.

"Non-federally enforceable requirement" means the following as they apply to emission units in a source requiring an air quality operating permit:

(a) Any standard, rule, or other requirement, including any requirement contained in a consent decree, or judicial or administrative order entered into or issued by the Department, that is not contained in the Montana state implementation plan approved or promulgated by the administrator through rule making under Title I of the FCAA;

(b) Any term, condition or other requirement contained in any air quality preconstruction permit issued by the Department under subchapters 7, 8, 9 and 10 of this chapter that is not federally enforceable;

(c) Does not include any Montana ambient air quality standard contained in Subchapter 2 of this chapter.

"Permittee" means the owner or operator of any source subject to the permitting requirements of this subchapter, as provided in ARM 17.8.1204, that holds a valid air quality operating permit or has submitted a timely and complete permit application for issuance, renewal, amendment, or modification pursuant to this subchapter.

"Regulated air pollutant" means the following:

(a) Nitrogen oxides or any volatile organic compounds;

(b) Any pollutant for which a national ambient air quality standard has been promulgated;

(c) Any pollutant that is subject to any standard promulgated under section 7411 of the FCAA;

(d) Any Class I or II substance subject to a standard promulgated under or established by Title VI of the FCAA; or

(e) Any pollutant subject to a standard or other requirement established or promulgated under section 7412 of the FCAA, including, but not limited to the following:

(i) Any pollutant subject to requirements under section 7412(j) of the FCAA. If the administrator fails to promulgate a standard by the date established in section 7412(e) of the FCAA, any pollutant for which a subject source would be major shall be considered to be regulated on the date 18 months after the applicable date established in section 7412(e) of the FCAA;

(ii) Any pollutant for which the requirements of section 7412(g)(2) of the FCAA have been met, but only with respect to the individual source subject to section 7412(g)(2) requirement.

"Responsible official" means one of the following:

(a) For a corporation: a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation, or a duly

authorized representative of such person if the representative is responsible for the overall operation of one or more manufacturing, production, or operating facilities applying for or subject to a permit and either:

(i) The facilities employ more than 250 persons or have gross annual sales or expenditures exceeding $25 million (in second quarter 1980 dollars); or
(ii) The delegation of authority to such representative is approved in advance by the Department.

(b) For a partnership or sole proprietorship: a general partner or the proprietor, respectively.

(c) For a municipality, state, federal, or other public agency: either a principal executive officer or ranking elected official. For the purposes of this part, a principal executive officer of a federal agency includes the chief executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., a regional administrator of the environmental protection agency).

(d) For affected sources: the designated representative in so far as actions, standards, requirements, or prohibitions under Title IV of the FCAA or the regulations promulgated thereunder are concerned, and the designated representative for any other purposes under this subchapter.

Abbreviations:

ARM	Administrative Rules of Montana
ASTM	American Society of Testing Materials
BACT	Best Available Control Technology
bbl	barrels
Btu	British Thermal Unit
CAT	Fluid Catalytic Cracking
CFBC	Circulating Fluidized Bed Combustion
CFR	Code of Federal Regulations
CO	carbon monoxide
DEQ	Department of Environmental Quality
dscf	dry standard cubic foot
dscfm	dry standard cubic foot per minute
EPA	U.S. Environmental Protection Agency
EPA Method	Test methods contained in 40 CFR 60, Appendix A
EU	emission unit
FCAA	Federal Clean Air Act
gr	grains
HAP	hazardous air pollutant
IEU	insignificant emission unit
Mbdft	thousand board feet
Method 5	40 CFR 60, Appendix A, Method 5
Method 9	40 CFR 60, Appendix A, Method 9
MMBtu	million British Thermal Units
NOx	oxides of nitrogen
NO_2	nitrogen dioxide
O_2	oxygen
Pb	lead
PM	particulate matter
PM10	particulate matter less than 10 microns in size
psi	pounds per square inch
scf	standard cubic feet
SIC	Source Industrial Classification
SO_2	sulfur dioxide
SOx	oxides of sulfur
tpy	tons per year
U.S.C.	United States Code
VE	visible emissions
VOC	volatile organic compound

App. D NOTIFICATION ADDRESSES

Compliance Notifications:

Montana Department of Environmental Quality
Permitting and Compliance Division
Air & Waste Management Bureau
P.O. Box 200901
Helena, MT 59620-0901

United States EPA
Air Program Coordinator
Region VIII, Montana Office
301 South Park, Drawer 10096
Helena, MT 95626-0096

Permit Modifications:

Montana Department of Environmental Quality
Permitting and Compliance Division
Air & Waste Management Bureau
P.O. Box 200901
Helena, MT 59620-0901

Office of Partnerships and Regulatory Assistance
Air and Radiation Program
US EPA Region VIII 8P-AR
999 18th Street, Suite 500
Denver, CO 80202-2466

App. E AIR QUALITY INSPECTOR INFORMATION

Disclaimer: The information in this appendix is not State or Federally enforceable but is presented to assist YELP, permitting authority, inspectors, and the public.

1. **Directions to Plant:**

   YELP is located three miles northeast of Billings adjacent to the Exxon Refinery at 2215 N. Frontage Road.

2. **Safety Equipment Required:**

   Representatives of the State of Montana, Department of Environmental Quality, who wish to enter YELP's premises for the purpose of conducting an inspection of the facility, as per 75-2-403, MCA, shall at a minimum, have in possession and utilize the following personnel protective equipment (PPE):

   1. Hard Hat
   2. Safety Glasses
   3. Hearing Protection

   In addition to the above mentioned items, and at the direction of a Representative of YELP, additional PPE may be required, including, but not limited to Nomex ® clothing, respirators, etc.

   At all times that a Department Representative is present upon the premises, the Representative shall follow all directions of a YELP Representative that are meant to protect the health and safety of the State Representative and facility employees.

3. **Facility Plot Plan:**

   A facility plot plan was submitted on June 12, 1996, as part of the Title V Operating Permit Application.

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App. F June 12 , 1998 SO_2 STIPULATION

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App. G AMBIENT MONITORING PLAN

AMBIENT MONITORING PLAN
YELLOWSTONE ENERGY LIMITED PARTNERSHIP
Permit #2650-05

1. This ambient air monitoring plan is required by air quality Permit #2650-05 that applies to the petroleum coke-fired power generation facility adjacent to the Exxon petroleum refinery in Billings, Montana. This monitoring plan may be changed from time to time by the Department, but all current requirements of this plan are also considered conditions of the permit.

2. Yellowstone Energy Limited Partnership (YELP) shall operate and maintain two air monitoring sites in the vicinity of their power generation facility. The exact locations of the monitoring sites must be approved by the Department and meet all the requirements contained in the Montana Quality Assurance Manual, including revisions; the EPA Quality Assurance Manual, including revisions; the EPA Ambient Monitoring Guidelines for Prevention of Significant Deterioration (PSD), including revisions (EPA-450/4-87-007); Parts 53 and 58 of the Code of Federal Regulations; and any other requirements specified by the Department.

3. YELP shall continue air monitoring for a minimum of two years after maximum production has been achieved. At that time, the air monitoring data will be reviewed by the Department and the Department will determine if continued monitoring or additional monitoring is warranted. The Department may require continued air monitoring to track long-term impacts of emissions from the facility or require additional ambient air monitoring if any changes take place in regard to quality and/or quantity of emissions or the area of impact from the emissions.

4. YELP shall monitor the following parameters at the sites and frequencies described below:

AIRS Number	**Site Name**	**UTM Coordinates (All Zone 12)**	**Parameter**	**Frequency**
30-111-2006	Johnson Lane	E 701010 N 5076000	SO_2[1], Wind Speed and Direction, Temperature, Sigma Theta[2]	Continuous
30-111-2007	Pine Hills	E 703670 N 5078600	SO_2, Wind Speed and Direction, Temperature, Sigma Theta	Continuous
[1] SO_2 = sulfur dioxide [2] Sigma Theta = Standard Deviation of Horizontal Wind Direction				

5. Data recovery for all parameters shall be at least 80 percent computed on a quarterly and annual basis. The Department may require continued monitoring if this condition is not met.

6. Any ambient air monitoring changes proposed by YELP must be approved in writing by the Department.

7. YELP shall utilize air monitoring and quality assurance procedures which are equal to or exceed the requirements described in the Montana Quality Assurance Manual, including revisions; the EPA Quality Assurance Manual, including revisions; the EPA Ambient Monitoring Guidelines for Prevention of Significant Deterioration (PSD), including revisions (EPA-450/4-87-007); 40 CFR Parts 53 and 58 of the Code of Federal Regulations; and any other requirements specified by the Department.

8. YELP shall submit quarterly data reports within 45 days after the end of the calendar quarter and an annual data report within 90 days after the end of the calendar year. The annual report may be substituted for the fourth quarterly report if all information in 9. below is included in the annual report.

9. The quarterly report shall consist of a narrative data summary and a data submittal of all data points in AIRS format. This data must be submitted in ASCII files on 3" or 5" high or low-density floppy disks, in IBM-compatible format, or on AIRS data entry forms. The narrative data summary shall include:

    a. A topographic map of appropriate scale, with UTM coordinates and a true north arrow, showing the air monitoring site locations in relation to the YELP facility and the general Billings area;

    b. A hard copy of the individual data points;

    c. The quarterly and monthly means for SO_2, wind speed and direction;

    d. The first and second highest hourly concentrations for SO_2;

    e. The first and second highest, rolling three-hour concentrations for SO_2;

    f. The first and second highest, rolling 24-hour concentrations for SO_2;

    g. The quarterly and monthly wind roses;

    h. A summary of the data collection efficiency;

    i. A summary of the reasons for missing data;

    j. A precision and accuracy (audit) summary;

    k. A summary of any ambient air standard or PSD increment exceedances; and

    l. Calibration information.

10. The annual data report shall consist of a narrative data summary containing:

    a. A topographic map of appropriate scale, with UTM coordinates and a true north arrow, showing the air monitoring site locations in relation to the YELP facility and the general Billings area;

    b. A pollution trend analysis;

    c. The annual means for SO_2, wind speed and direction;

    d. The first and second highest hourly concentrations for SO_2;

    e. The first and second highest, rolling three-hour concentrations for SO_2;

    f. The first and second highest, rolling 24-hour concentrations for SO_2;

    g. The annual wind rose;

    h. An annual summary of data collection efficiency;

    i. An annual summary of precision and accuracy (audit) data, including the results from EPA's National Performance Audit for SO_2;

    j. An annual summary of any ambient standard or PSD increment exceedance; and

    k. Recommendations for future monitoring.

The Department may audit, or may require YELP to contract with an independent firm to audit the air monitoring network, the laboratory performing associated analyses, and any data handling procedures at unspecified times. On the basis of the audits and subsequent reports, the Department may recommend or require changes in the air monitoring network and associated activities in order to improve precision, accuracy and data completeness.

App. H FUEL OIL FLOWMETERING

METHOD C-1
FUEL OIL FLOWMETERING AND ANALYSIS SPECIFICATIONS

1.0 FLOWMETER SPECIFICATIONS

YELP shall measure and record the fuel oil consumption rate within the fuel oil loop on an hourly basis. YELP shall measure the flow of fuel oil with in-line fuel oil flowmeters, as required by Section III.C. of this permit.

1.1 Initial Calibration and Certification

Design and equip each fuel oil flowmeter used to demonstrate a flowmeter accuracy of 2.0 percent of the upper range value (i.e., maximum calibrated oil flow rate) as measured under laboratory conditions by the manufacturer or by the owner or operator. Use the procedures in the following ASME codes for flow measurement for use in the laboratory, as appropriate to the type of flowmeter: ASME MFC-3M-1989 with September 1990 Errata (Measurement of Fluid Flow in Pipes Using Orifice, Nozzle, and Venturi), ASME MFC-5M-1985 (Measurement of Liquid Flow in Closed Conduits Using Transit-Time Ultrasonic Flowmeters), ASME MFC-6M-1987 with June 1987 Errata (Measurement of Fluid Flow in Pipes Using Vortex Flow Meters), or ASME MFC-9M-1988 with December 1989 Errata (Measurement of Liquid Flow in Closed Conduits by Weighing Method) for all other flowmeter types. More current ASME or NIST (National Institute of Standards and Technology) procedures or other ASME or NIST procedures that are appropriate to flowmeter construction may, upon Department approval, be substituted. If the flowmeter accuracy exceeds two percent of the upper range value, the flowmeter does not qualify for certification.

1. Annual Calibration

Recalibrate each fuel oil flowmeter to a flowmeter accuracy of 2.0 percent of the upper range value at least annually, or more frequently if required by manufacturer specifications, using the same ASME procedures required for initial calibration and certification.

1.2.1 Alternative Annual Calibration Method

Alternatively, the fuel oil flowmeter may be recalibrated to a flowmeter accuracy of 2.0 percent of the upper range value at least annually by comparing the measured flow of a flowmeter to the measured flow from another flowmeter which has been calibrated or recalibrated during the previous 365 days using the procedures in ASME MFC-9M-1988 with December 1989 Errata, "Measurement of Liquid Flow in Closed Conduits by Weighing Method", or which has been recalibrated by the manufacturer. Perform the comparison over a period of no more than seven consecutive facility operating days. Compare the average of three fuel oil flow readings for each meter at three different flow levels: (1) a frequently used low operating level selected within the range between the minimum safe and stable operating level and 50% of maximum operating level; (2) a frequently used high operating level selected within the range between 80% of maximum operating level and maximum operating level; and (3) normal operating level. Calculate the flowmeter accuracy using the following equation:

$$ACC = \frac{R - A}{URV} \times 100 \qquad \text{(Eq. C-1)}$$

Where:

ACC = Flow meter accuracy as a percentage of the upper range value.
R = Average of the three low-, mid-, or high-level flow measurements of the reference flowmeter.
A = Average of the three measurements of the flowmeter being tested.
URV = Upper range value of fuel flowmeter being tested (i.e. maximum measurable flow).

If the flowmeter accuracy exceeds 2% of the upper range value, either recalibrate the flowmeter until the accuracy is within the performance specification, or replace the flowmeter with another one that is within the performance specification.

2.0 FUEL OIL SAMPLING AND ANALYSIS

YELP shall perform sampling and analysis of as-fired fuel oil from the fuel oil loop to determine the percentage of sulfur by weight in the fuel oil.

2.1 Sampling Frequency and Methods

YELP shall perform daily fuel oil sampling using either the flow proportional method described in Section 2.2 or the daily manual method described in Section 2.3.

2.2 Flow Proportional Sampling Method

YELP shall conduct flow proportional fuel oil sampling or continuous drip fuel oil sampling in accordance with ASTM D4177-82 (Reapproved 1990), "Standard Practice for Automatic Sampling of Petroleum and Petroleum Products", every day the facility is combusting fuel oil within the fuel oil loop. Extract fuel oil at least once every hour and blend into a daily composite sample. The sample compositing period may not exceed 24 hours.

2.3 Daily Manual Sampling Method

Representative as-fired fuel oil samples may be taken manually every 24 hours according to ASTM D4057-88, "Standard Practice for Manual Sampling of Petroleum and Petroleum Products", provided that the highest fuel oil sulfur content recorded at that facility from the most recent 30-daily samples is used for the purposes of calculating SO_2 emissions.

2.4 Sample Archiving

Split and label each daily fuel oil sample. Maintain a portion (at least 200 cc) of each daily sample for not less than 150 calendar days after the submittal to the Department of the quarterly data report for the calendar quarter during which the sample was collected. Analyze fuel oil samples for percent sulfur content by weight in accordance with ASTM D129-91, "Standard Test Method for Sulfur in Petroleum Products (General Bomb Method)," ASTM D1552-90, "Standard Test Method for Sulfur in Petroleum Products (High Temperature Method)," ASTM D2622-92, "Standard Test Method for Sulfur in Petroleum Products by X-Ray Spectrometry," or ASTM D4294-90, "Standard Test Method for Sulfur in Petroleum Products by Energy-Dispersive X-Ray Fluorescence Spectroscopy".

3.0 VOLUMETRIC FLOW MEASUREMENT

3.1 Fuel Oil Density

Where the flowmeter records volumetric flow rather than mass flow, analyze daily fuel oil samples to determine the density or specific gravity of the fuel oil (not required where the flowmeter records mass flow). Determine the density or specific gravity of the fuel oil sample in accordance with ASTM D941-88, "Standard Test Method for Density and Relative Density (Specific Gravity) of Liquids by Lipkin Bicapillary Pycnometer," ASTM D1217-91, "Standard Test Method for Density and Relative Density (Specific Gravity) of Liquids by Bingham Pycnometer;" ASTM D1481-91, "Standard Test Method for Density and Relative Density (Specific Gravity) of Viscous Materials by Lipkin Bicapillary;" ASTM D1480-91, "Standard Test Method for Density and Relative Density (Specific Gravity) of Viscous Materials by Bingham Pycnometer;" ASTM D1298-85 (Re-approved 1990), "Standard Practice for Density, Relative Density (Specific Gravity) or API Gravity of Crude Petroleum and Liquid Petroleum Products by Hydrometer Method;" or ASTM D4052-91, "Standard Test Method for Density and Relative Density of Liquids by Digital Density Meter".

3.2 Calculation of Mass Flow from Volumetric Flow

Where the flowmeter records volumetric flow rather than mass flow, calculate and record the fuel oil mass for each hourly period using hourly fuel oil flow measurements and the density or specific gravity of the daily oil sample.

Convert density, specific gravity, or API gravity of the fuel oil sample to density of the fuel oil sample at the sampling location's temperature using ASTM D1250-80 (Re-approved 1990), "Standard Guide for Petroleum Measurement Tables".

Where density of the fuel oil is determined by the applicable ASTM procedures from Section 3.1 of Department Method C-1, use the following equation to calculate the mass of fuel oil consumed (in lb/hr).

$$M_{oil} = V_{oil} \times D_{oil} \qquad \text{(Eq. C-2)}$$

Where:

M_{oil} = Mass of oil consumed per hr, lb/hr.
V_{oil} = Volume of oil consumed per hr, measured in scf, gal, barrels, or m^3.
D_{oil} = Density of oil, measured in lb/scf, lb/gal, lb/barrel, or lb/m^3.